K. England. Lords, House of.

The whole

SERIES

OF ALL

that hath been Transacted in the

HOUSE OF PEERS,

Concerning the

Popish Plot,

wherein is contained, the most

MATERIAL PASSAGES

in both HOUSES of

PARLIAMENT,

Relating to the full Discovery thereof.

London Printed by *J. Redmayne*. 1681.

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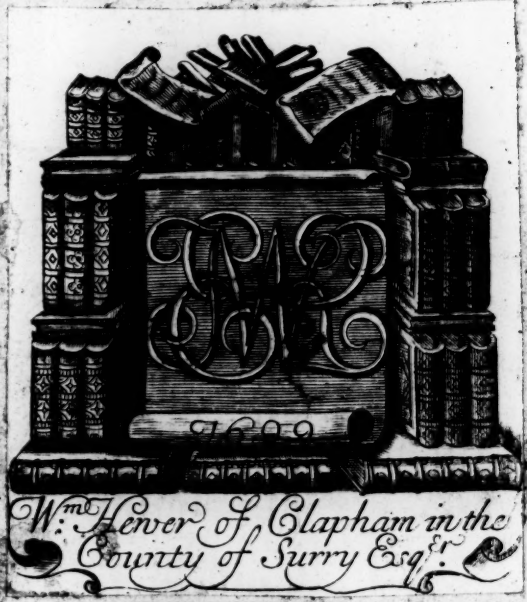

MVSEVM
BRITAN
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HIs Majesty sitting in His Royal Throne, Adorned with His Royal Crown and Ornaments, (the Peers being likewise in their Robes) commanded the Gentleman Usher of the Black Rod, to give the House of Commons notice, That it is His Majesties pleasure, that they attend him presently with their Speaker; who being come, His Majesty made the Speech following,

My Lords and Gentlemen,

I Have thought the time very long since We parted last; and would not have deferred your Meeting by so many Prorogations, if I could well have met you sooner.

The part which I have had this Summer in the Preservation of Our Neighbours, and the well-securing what was left of Flanders, *is sufficiently known, and acknowledged by all that are abroad; and though for this cause I have been obliged to keep up my Troops (without which Our Neighbours had absolutely despaired) yet both the Honour and Interest of the Nation have been so far improved by it, that I am confident no Man here will Repine at it, or think the Money Raised for their Disbanding, to have been ill employed in their Continuance; and I do assure you I am so much more out of Purse for the Service, that I do expect you should supply it.*

How far it may be necessary (considering the present State of Christendom) to reduce the Land and Sea Forces, or to what degree, is worthy of all Our serious considerations.

I now intend to acquaint you (as I ſhall always do with any thing that concerns Me) that I have been informed of a Deſign againſt my Perſon, by the Jeſuits, *of which I ſhall forbear any Opinion, leaſt I may ſeem to ſay too much or too little, but I will leave the Matter to the Law, and in the mean time will take as much Care as I can to prevent all manner of Practices by that ſort of Men, and of others too who have been tampering in a high degree with Foreigners, and contriving how to introduce Popery amongſt us.*

I ſhall conclude with the Recommending to you my other Concerns.

I have been under great Diſappointments by the Defects of the Poll-Bill.

My Revenue is under great Anticipations, and at the beſt, was never equal to the conſtant and neceſſary Expence of the Government, whereof I intend to have the whole State laid before you and require you to look into it, and conſider of it, with that Duty and Affection, which I am ſure I ſhall always find from you.

It was moved upon occaſion of his Majeſties Speech, that an humble Addreſs may be preſented to his Majeſty, for a day of Faſting and Humiliation for the farther diſcovery of the horrid deſign againſt the ſacred perſon of his Majeſty, whereupon a form was drawn up and read and approved of, but the houſe thought fit to divide it into two Addreſſes as follows.

We your Majeſties moſt Dutiful and Loyal Subjects the Lords Spiritual and Temporal and in Parliament aſſembled having been acquainted by your Majeſty, that there is Information given of a horrible deſign againſt your Majeſties ſacred life (which God long preſerve) and being very ſenſible of the fatal conſequence of ſuch an attempt, and the dangers of the ſubverſion of the Proteſtant Religion and Government of this Realm, which God of his Infinite Mercy hath hitherto prevented and we hope will prevent for the future, do moſt humbly beſeech your Majeſty, that a Solemn day of Faſting and humiliation may be appointed to implore the Mercy and Protection of God Almighty to your Majeſties

jeſties Royal perſon, and in you to all your Loyal Subjects, and to pray him to bring to light more and more all ſecret Machinations againſt your Majeſty and your whole Kingdom.

A Meſſage was ſent to the houſe of Commons by the Lord Chief Juſtice of the Court of Common Pleas, and Mr. Juſtice *Jones*, to deliver the aforeſaid Addreſs to his Majeſty to the Houſe of Commons, and Deſire their concurrence thereunto.

The Second Addreſs to His Majeſty was as follows,

We your Majeſties moſt dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament Aſſembled, having been acquainted by your Majeſtie that there is Information given, of a horrible deſign againſt your Majeſties ſacred life (which God long preſerve) are humble Suitors to your Majeſtie, that you would vouchſafe to communicate to us (as far as your Majeſty ſhall think fit ſuch papers as have any tendency to the Diſcovery thereof) or of any other deſign againſt the Proteſtant Religion, as it is now Eſtabliſhed in the Church of *England*, That we may uſe our Utmoſt endeavors, to ſerve your Majeſty according to our bounden Duty and Allegiance.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with the white Staves do attend His Majeſty from this houſe, to preſent their humble Addreſs concerning papers relating to the diſcovery of the horrible Deſign againſt His Majeſties moſt ſacred life.

The Meſſengers ſent to the houſe of Commons with the Addreſs, return with this Anſwer. That the Commons agree with their Lordſhips in the Addreſs to be preſented to His Majeſty for a Faſt as it was ſent down, filling up the blanck with the word (Commons.)

Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lords with white Staves do attend His Majeſty to know his pleaſure, at what time both houſes may wait on him with their humble Addreſs for a Faſt,

Die Martis 22. *Octobris* 1678.

THe Lord Treaſurer Reported that in Obedience to the Commands of this Houſe, he and the reſt of the Lords with white Staves, have attended His Majeſty upon three particulars.

1. That he would be pleaſed to give Orders for the Printing and Publiſhing his Speech and the Lord Chancellors.

To which His Majeſties anſwer was, that he had given Order for the ſame already.

2. That His Majeſty would Communicate to this houſe ſuch Papers as have any tendency to the Diſcovery of the horrible deſign againſt His Majeſties life.

Concerning which His Majeſty ſaid he would give Orders.

3. To know His Majeſties pleaſure what time both houſes may wait upon him to preſent him with an humble Addreſs for a Faſt.

To which His Majeſties anſwer is, that he will be ready in the Banquetting-houſe at *White-hal*, at three of the clock this afternoon to receive the ſame.

A meſſage was ſent to the houſe of Commons by Sr. *Timothy Baldwyn* and Sr. *William Beverſham* to acquaint them that His Majeſty hath appointed this afternoon at three of the clock for both houſes to attend him in the Banquetting-houſe at *White-hall* with their Addreſs for a faſt.

Die Mercurii 23. *Octobris* 1678.

THe Lord Chancellor ſignified to the houſe that one of the Clerks of the Councel by direction from His Majeſty attended with ſuch Papers as their Lordſhips deſired, concerning the diſcovery of the horrid deſign againſt the perſon of His ſacred Majeſty, whereupon the houſe directed *John Walker* Deputy to the Clerk of the Parliament preſently to go forth, and receive them from the Clerk of the Councel according to a Liſt.

The Lord Chancellor Reported, that he did yeſterday preſent to His Majeſty the Addreſs of both houſes for a Faſt.

And

And His Majeſty was pleaſed to give this Anſwer, that their Lordſhips ſhould hear from him ſpeedily concerning a day.

Lords Committees appointed to conſider of the Papers tranſmitted from the Councel by His Majeſties directions, concerning the diſcovery of the horrible deſign againſt His Majeſties ſacred perſon, or of any other deſign againſt His Majeſty, or His Kingdom by introducing Popery, whoſe Lordſhips or any Seaven are to meet this afternoon at four of the clock, and afterwards *De die in die* in the Princes Lodgings with liberty to adjourn into this houſe if they think fit, and have Power to ſend for perſons, Papers and Records as they ſhall ſee cauſe. And the Committee at the opening of the Committee are to examine the particular Papers by a Liſt, and likewiſe to examine them again at the riſing of the Committee, and to ſeal them up in a bagg.

The Committee likewiſe have Power to examin Witneſſes concerning the Murther of Sr. *Edmondbury Godfery*, and make Report to the houſe.

It being moved that an Addreſs might be preſented to His Majeſty for the Baniſhing of Papiſts from the Cities of *London* and *Weſtminſter*. Theſe Lords following were appointed to draw up ſuch an Addreſs and Preſent the ſame to the houſe preſently.

M. *Winton*, E. *Bridgwater*, E. *Eſſex*, E. *Shaftsbury*, Viſ. *Hallifax*.

THe M. *Winton* Reported that the Committee have prepared a Draught of an Addreſs intended to be preſented to His Majeſty for Baniſhing Papiſts from the Cities of *London* and *Weſtminſter*. Which is offered to the conſideration of the houſe, the ſame being read was approved of, the Tenor whereof followeth.

We your Majeſties moſt Loyal and Obedient Subjects, the Lords Spiritual and Temperal in Parliament Aſſembled, conſidering the great preſent danger wherein your Majeſties ſacred perſon is involved, together with the Religion and Government of your Majeſties Kingdom, and being ſenſible of the fears of your Majeſties Loyal Subjects, by reaſon of the great & more than uſual concourſe of Popiſh Recuſants to your Cities of *London* and *weſtminſter* and your Royal Pallace, at a time that juſtly giveth ſo much jealouſy, the Parliament now

ſitting do moſt humbly beſeech your Majeſty, that you will be pleaſed forthwith to Iſſue out your Royal Proclamation ſtrictly to command and enjoyn all Popiſh Recuſants and all as are juſtly ſuſpected to be ſuch, within ſix days to depart the ſaid Cities of *London* and *Weſtminſter* and the liberties thereof, and not to come within Ten Miles of the ſaid Cities. And that the Statutes for reſtraining ſuch perſons to come to the Court, or depart from their houſes above five Miles may be put in Execution.

Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lords with white ſtaves be and are hereby appointed to attend His Majeſty from this houſe, with their humble Addreſs concerning the removal of Popiſh Recuſants from His Majeſties Pallace, and Cities of *London* and *Weſtminſter* and the liberties thereof.

Die Jovis 24 *Octobris* 1678.

ORdered that the Clerk of the Parliament, do prepare a Liſt of the names of ſuch Lords, as have not taken the Oath of Allegiance, and give the houſe an account thereof to morrow Morning.

Lords Committees appointed to examin and take Informations concerning the Conſtables and other Officers in *London* and *Weſtminſter*, and the adjacent Pariſhes of Middleſex. Whether they or any of them be Papiſts or ſo Reputed, and make Report thereof unto the houſe.

Their Lordſhips or any five of them to meet to morrow at four of the Clock in the Princes Lodgings, and to adjourn as they pleaſe.

A Meſſage was brought from the Houſe of Commons by Sr. *John Trevor*, and others to acquaint their Lordſhips that the Commons had prepared an Addreſs to be preſented to His Majeſty, for removal of Papiſts from the Cities of *London* and *Weſtminſter*, to which they deſire their Lordſhips concurrence.

The ſaid Addreſs was read and agreed to with the addition of theſe words (otherwiſe then at the Councel Board)

A Meſſage was ſent to the Houſe of Commons by Sr. *Miles Cook*, and Sr. *John Haſkins*. To let them know that the Lords agree to the Addreſs, for the removal of Papiſts with a ſmall addition, to which the Lords deſire the concurrence of the Houſe of Commons.

The

The Lord Chancelor reported, that in anſwer to the addreſs of both houſes concerning the keeping of a Faſt, His Majeſty is pleaſed to appoint *Wedneſday* the 13 Day of *November* next for that purpoſe.

Ordered by the Lords Spiritual and Temperal in Parliament aſſembled, That the Lord Archbiſhop of *Canterbury*, be and is hereby appointed to Preach before the Houſe of Peers in the *Abbey* Church at *Weſtminſter*, on Wedneſday the 13*th*. Day of November next being the day appointed by His Majeſty, for Solemn Faſting and Humiliation, to Implore the Mercy and Protection of God Almighty upon the Kings Majeſty and His Kingdom.

Die Veneris 25. *Octobris* 1678.

THe Lord *Viſcount Stafford* acquainted the houſe that he was informed, that there was a Warrant Iſſued out from the Lord Chief Juſtice of *England* to apprehend him, which he thought fit to acquaint their Lordſhips with, and ſubmitted himſelf to their Lordſhips Judgment.

The Lord Chief Juſtice (being preſent) was commanded to give the houſe an account of the buſineſs, who ſaid laſt night about nine of the Clock, he received a letter from the ſpeaker of the Houſe of Commons; Dated from the ſpeakers Chair, to come to the Houſe of Commons about buſineſs of great concernment, accordingly he attended the Houſe of Commons, where the ſpeaker told him that the Houſe of Commons had received Accuſations of High Treaſon, againſt five Lords and ſome Gentlemen, and deſired him to Iſſue out his warrants for their apprehenſion, the perſons were the Earl of *Powis*, *Viſcount Stafford*, the Lord *Arundel* of *Warder*, the Lord *Peter*, and the Lord *Bellaſis*. And upon this Iſſued out his Warrants for their apptehenſion, having taken the Examination of *Titus Oats* upon Oath, that the E. of *Powis* and the Lord *Arundel* were brought to him this morning in Cuſtody, and he adviſed them to render themſelves to the Gate-houſe where now they are.

Upon this the Examination of *Oats* was read, whereby it did appear that the Lord *Viſcount Stafford* was charged to be in a conſpiracy of Treaſon againſt the King.

The Lord *Viſcount Stafford* denied the fact and after this withdrew, and after a while the houſe was Informed that his Lordſhip would render himſelf to the Lord Chief Juſtice.

A Meſſage was brought from the Houſe of Commons by Sr. *William Hickman* and others, to acquaint their Lordſhips that they agree to the Amendment their Lordſhips have made in the Addreſs to be preſented unto His Majeſty, for removing of Papiſts from *London* and *Weſtminſter*, and have made ſome additions to the ſaid Amendment, to which their Lordſhips concurrence is deſired.

The ſaid Addition was read and agreed to.

Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lords with white Staves do wait on His Majeſty, from this houſe to know what time His Majeſty will pleaſe to appoint, that both houſes may attend him to preſent their humble Addreſs to His Majeſty, for the removal of Papiſts from *London*.

The Lord Biſhop of *Rocheſter* Reported that the Committee for examining the Papers relating to the horrid deſign againſt His Majeſty, do find that Sir *George Wakeman*, notwithſtanding the matters againſt him, goes abroad, which the Committee leaves to the Judgment of the houſe, whether it be not fit he be apprehended.

The houſe was Informed that Sir. *George Wakeman*, is apprehended.

His Lordſhip farther Reported, that they find that *Whitebread* and *Micho* having been ſick and not able to be removed have a Guard upon them, and Dr. *Warner* was appointed to Viſit them, but no account hereof given.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that Dr. *Lowre* and Dr. *Warner* be and are hereby appointed to viſit Mr. *White alias Whitebread*, and Mr. *Micho*, being ſick near *Wilde-houſe*, and give this houſe an account to morrow morning in what conditions of health they find them.

Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, That Sir. *Edward Carteret* Gentleman Uſher of the Black Rodd, attending this houſe together with Sir. *William Beverſham*, and Sir *Samuel Clark*, two of the Maſters of Chancery, now attending in this houſe be and are hereby required to repair immediatly to the houſe and chamber of Mr. *Langhorn*. now Priſoner in *Newgat*, and ſeize ſuch Papers Letters or other Writings as they ſhall there find, and forthwith bring them to this Houſe.

Die

Die Sabbati 26. Octobris 1678.

Dr. *Lowre* and Dr. *Warner* gave the Houſes this account, that according to their Lordſhips Order Yeſterday, they have viſited *Whitebread* and *Miſbo*, and they do find them in a very low Condition and Danger of their lives, if they ſhould be removed out of their Beds.

The Houſe being Informed, that the Lord *Bellaſis* having all his Papers ſeized by vertue of the L. C. Juſtices Warrant, he deſires that the ſaid Papers may be ſealed up in a bag and brought into this Houſe, which was Ordered, and the like Order to be for all the Lords, who are apprehended by vertue of the warrant from the Lord Chief Juſtice.

The Lord Chancellor acquinted the Houſe that the Duke of *Ormond* Lord Lieutenant of *Ireland*, being Informed of the dangerous deſign here againſt the perſon of His Majeſty, and His Government, hath ſecured the perſon of *Peter Talbot* in *Ireland*, and hath iſſued out a Proclamation againſt Prieſts and Jeſuits, and hath taken examinations in the buſineſs; which his Lordſhip hath tranſmitted to His Majeſty, who is ready to communicate the ſame to this Houſe by one of the Clerks of the Councel who attends at the Door, and accordingly Sir. *Phillip Loyd* was called in, and at the Bar delivered the ſaid examinations.

The Lord Biſhop of *Rocheſter* Reported, that the Committee for peruſing of Papers for Diſcovery of the Horrid Deſign againſt His Majeſties perſon, are of Opinion that His Majeſty may be moved, that ſuch Letters of Mr. *Colemans* as the Committee have read and ſealed up by themſelves, may be tranſmitted to the Houſe of Commons ſpeedily.

Agreed that theſe Papers be taken immediatly out of the Bag, and delivered to His Majeſty by the Lord Biſhop of *Rocheſter*.

His Lordſhip further Reported, that the Committee are of Opinion, that Mr. *Coleman* a Priſoner in *Newgate* may be ſpeedily examined. And upon conſideration hereof the Houſe named theſe Lords to the Committees appointed to go immediatly and examin Mr. *Coleman*, and ſuch other Priſoners as are now committed to *Newgat* for Treaſon, and to uſe all incouragement to them, for further diſcovery and make Report to the Houſe.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Gentleman Uſher of the Black

Rod

Rodd do ſend one or more of his Officers with *William Soro-coale* to ſearch the Houſe of *James Thompſon* and to ſeize ſuch Papers and Writings as they ſhall find there, and bring them before this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that *James Thompſon* be and ſhall ſtand committed to the Priſon of the *Gate-houſe* at *Weſtminſter*, for dangerous words by him uttered, there to remain during the pleaſure of this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

The Lord Treaſurer gave the Houſe an account that he hath attended His Majeſty to know his pleaſure, what time he will appoint both Houſes to wait on him to preſent the Addreſs, for removal of Papiſts from *London* and *Weſtminſter*, and His Majeſty hath appointed this afternoon at three of the Clock in the Banquetting Houſe at *White hall* for that purpoſe.

A Meſſage was ſent to the Houſe of Commons, by Sir. *Timothy Baldwyn* and Sir. *William Beverſham* to acquaint them, that the King hath appointed this afternoon at three of the Clock in the Banquetting-houſe at *White hall* to receive the Addreſs of both Houſes, for the removal of Papiſts from *London* and *Weſtminſter*.

The Lord *Peter* being in the Houſe took notice that he heard of a Warrant iſſued out againſt him by the Lord Chief Juſtice of *England*, and he deſired to know the cauſe of it, hereupon the Houſe directed the Lord Chancellor to acquaint his Lordſhip, what account the Lord Chief Juſtice gave the Houſe yeſterday, and upon what ground he iſſued his Warrant, for apprehending him and ſeveral other Lords for High Treaſon, his Lordſhip withdrew himſelf, and the Houſe made theſe Orders following.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Gentleman Uſher of the Black Rodd attending this Houſe, do forthwith take the Lord *Peter* into his Cuſtody, and carry him in ſafety to the Tower of *London* for Treaſon, wherewith he is charged, there to remain till he ſhall be diſcharged by due courſe of Law, and this to be a ſufficient Warrant on that behalf.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Conſtable of His Majeſties Tower of *London* or his Deputy do receive the Body of the Lord *Peter*, for Treaſon, wherewith he is charged, and keep him in ſafe Cuſtody within the ſaid Tower till he ſhall be diſcharged by due

due courſe of Law, and this ſhall be a ſufficient Warrant on that behalf.

Ordered that this Houſe do ſit this Afternoon, and the Houſe be put into a Committee, to conſider what advice is fit to be given His Majeſty, for the better preſervation of his Perſon.

Ordered that on *Munday* next, this Houſe will take into conſideration the way according to the courſe of Parliament, of arreſting and reſtraning a Peer of the Realm, ſitting the Parliament and of taking Examinations againſt him in caſes of High Treaſon, and of the procedings to be had againſt ſuch Peer.

Die Sabbati 26 Octobris 1678. Poſt Meridiem.

ORdered by the Lords Spiritual and Temporal in Parliament aſſembled, that the Perſons who have ſeized, and given to this Houſe an account of ſome of the Papers of *James Thompſon*, be and are hereby authorized and required to take a File of Musketeers with them, and ſieze and carry to the Lord Biſhop of *London* ſuch Books and Printed Papers as are in the Houſe or Chambers of the ſaid *James Thompſon*, to be diſpoſed of as his Lordſhip ſhall think fit. And that they likewiſe ſeal up ſuch Trunks as are in the ſaid *James Thompſons* Study or Chambers, and bring them to this Houſe, and that ſuch Perſons as pretend to have any concern therein, may be preſent with the Clerk of the Parliament at the opening thereof, and examine the Papers in any of them contained.

The Houſe was adjourned into a Committee during pleaſure to conſider what advice is fit to be given His Majeſty for the better preſervation of his Perſon. The Houſe was reſumed, the Earl of *Bridgewater* reported ſhortly the Heads which were propoſed in the Committee, to which the Houſe agreed, and made the enſuing Order.

Ordered that the Duke of *Monmouth*, Lord Chamberlain of His Majeſties Houſhold, Earl of *Bridgewater*, Earl of *Clarendon*, Earl of *Eſſex*, Earl of *Bath*, Viſcount *Newport*, Lord Biſhop of *Rocheſter* Lord *Mainard*, and Lord *Butler* of *Moor Park*, or any three of them are hereby appointed a Committee to prepare an Addreſs to be preſented to His Majeſty,

in

in order to his taking care for the preſervation of His Majeſties Perſon, according to the Heads agreed on in this Houſe, and make report thereof unto this Houſe with all convenient ſpeed.

Lords Committees appointed to go immediatly and examine Mr. *Coleman*, and ſuch other Priſoners as are now committed to *Newgate* for Treaſon, and to uſe all incouragement to them for further diſcovery, and make report to the Houſe.

The Lord Treaſurer, Earl of *Clarendon*, Earl of *Eſſex*, Earl of *Shaftesbury*, and Lord Biſhop of *London*, or any three of them.

The Committee for inſpection of the Papers and Letters are to meet on *Monday* Morning at Nine of the Clock.

Die Lunæ 28. *Octobris* 1678.

THe Lord Chancellor acquainted the Houſe, that His Majeſty having been attended with the Addreſs of both Houſes, for the removal of all Papiſts from the Cities of *London* and *Weſtminſter*, His Majeſty is pleaſed to give this gracious Anſwer, that he will give order ſpeedily for iſſuing out a Proclamation as is deſired, and will take care that the Lieutenancy for the Militias ſhall have Orders to be ready accordingly.

A Meſſage was brought from the Houſe of Commons by Sir *John Knight* and others, who brought a Bill entituled an Act for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament; to which the Commons deſire their Lordſhips concurrence.

The Duke of *Monmouth* reported, that the Committee for drawing up an Addreſs to His Majeſty, as the humble Advice of this Houſe to His Majeſty for the better preſervation of his Perſon, have prepared a draught for that purpoſe, which being read was agreed to with an Addition.

The ſaid Addreſs followeth.

We your Majeſties moſt Dutiful and Loyal Subjects, the Lords Spiritual and Temporal in Parliament Aſſembled, conſidering the dangers your Majeſties Royal Perſon is daily expoſed to by the great reſort to your Pallace and the Parts adjoyning, where you are pleaſed to entertain your ſelf, of perſons

ſons heretofore not admitted to that liberty. And reflecting upon the wicked Conſpiracies and Villanous Deſigns of the Papiſts lately diſcovered, do in moſt humble manner beſeech your Majeſty to give Effectual Orders, that the following points within and without your Royal Pallace may, for the preſervation of your Sacred Perſon be duly and exactly obſerved.

That all poſſible care be taken to hinder all Papiſts from coming to Court, excepting only the Menial Servants of the Queen and Dutcheſs, allowed by the Articles of Marriage.

2. That the like care be taken that all ſuch as are imployed in your Majeſties Guards do receive the Sacrament of the Lords Supper, and take the Oathes and Teſt enjoyned by Law: And that a Reward be offered in ſuch manner as your Majeſty ſhall think fit, to thoſe who ſhall diſcover any who having taken the Sacrament and Oathes aforeſaid, have ſince turned or hereafter ſhall turn Papiſts or hear Maſs.

3. The like care to be taken that no Papiſt be imployed in the preſervation of your Majeſties Diet, of any kind whatſoever.

4. The like care to be taken concerning the numerous reſort of your Majeſties Subjects to the Chappel of *Sommerſet* houſe, and to the Chappels of Ambaſſadors and Forraign Miniſters, and that the Chappel at St. *James*'s, lately uſed for Maſs, being ſo ſeparated from your Majeſties Pallace there, as that acceſs to it cannot be prejudicial to your ſaid Pallace, may be uſed for the eaſe of the Pariſh of St. *Martins* in the Fields, for the Service of God, by the uſe of the Liturgy of the Church of *England*, and Preaching there.

5. And becauſe there is uſually a great concourſe of mean and unwarranted people, frequenting your Majeſties privy Galleries, and privy Lodgings and Rooms adjacent; That your Majeſty be pleaſed to cauſe a ſevere reſtraint to be made thereof, and none admitted there but ſuch as your Majeſty ſhall be pleaſed to qualifie thereunto, and in order thereunto, to cauſe the Officers of your Houſhold to wait in their proper ſtations; that the Locks of the doors of your Majeſties Palace be changed, the Keys delivered to none but ſuch only as ſhall be given them by the Lord Chamberlain, according to a Liſt Signed by your Majeſty. That all perſons forbidden as aforeſaid, be made to abſtain from following your Majeſty in St. *James*'s *Park*, and that all the private Doors there, be walled up.

And generally that the Rules and Orders of the Houſhold, eſtabliſhed by your Majeſties Royal Father of Bleſſed Memo-

ry,

ry, be ſtrictly obſerved, or with ſuch variations as your Majeſty in your great Wiſdom ſhall be pleaſed to think fit.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with the white Staves, and the Lords Committees, who prepared the Addreſs of advice for the preſervation of His Majeſties perſon, do attend His Majeſty from this Houſe for preſenting thereof.

Ordered that the Lord Chief Juſtice of the *Kings-Bench*, is appointed to go with the Lords that are appointed to examine the Priſoners in *Newgate*, to aſſiſt them in the ſaid Examinations.

The Houſe being informed, that there is ſome Timber and other Materials laid up in ſome Room or Celler under part of the Court of Requeſts, which may be of dangerous conſequence. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby recommended to the Lord great Chamberlain of *England*, to take ſpecial care that the ſaid Timber and other Materials, be forthwith removed, and that for the future, no Timber, Fire-wood, Coals or any other Goods, be lodged and kept in any of the Rooms or Cellars under any part of the Houſe of Peers, nor in any of the Rooms or Cellars under or adjoyning to the Princes Lodgings, the Painted Chamber or the Court of Requeſts.

Whereas Divers Books and Papers belonging ro *James Thompſon* now Priſoner in the *Gate-houſe*, have been ſeized and carried to the Lord Biſhop of *London*'s Houſe. It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Biſhop of *London*, do cauſe all ſuch of the ſaid Books as are Popiſh Books, and ought not to be uttered here, to be publickly burned at the Old *Exchange* in *London*, between the Houres of Twelve and One of the Clock of ſuch a Day as his Lordſhip ſhall appoint. And that the Sheriffs of *London* and *Middleſex*, do take care to provide ſuch Guards as that there may be no diſturbance at the burning of the ſaid Books.

It appearing to this Houſe that *William Sorocoale* hath don very good ſervice to His Majeſty and this Houſe, in ſeizing *James Thompſon* and his Papers and Popiſh Books.

It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby recommended to the Lord High Treaſurer of *England*, to repreſent the ſaid *William Sorocoales* ſaid ſervice to His Majeſty, that he may be rewarded as His Majeſty ſhall think fit.

Ordered

Ordered that the Conſiderations of the preſent Dangers the Kings Majeſty and the Kingdom is in, and how to preſent the ſame be proceeded in, to morrow Morning the firſt buſineſs and nothing to Interveen.

Ordered that the Lords appointed to Examine the Priſoners now in *Newgate* for Treaſon, do make Report to this Houſe of what they have don therein to morrow Morning.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that this Houſe will take into Conſideration, the way according to the Courſe of Parliament, of Arreſting and Reſtraning a Peer of this Realm ſitting the Parliament; and of taking Examinations againſt him in caſes of High Treaſon; And of the proceedings to be had againſt ſuch a Peer, on Munday the 4*th*, Day of *November*.

Die Martis 29. Octobris 1678.

THe Lord Treaſurer Reported, that he and the reſt of the Lords Committees have been twice at *Newgate* to Examin the Priſoners, and gave the the Houſe an account thereof, the Examinations were read as followeth.

According to your Lordſhips Directions, we went yeſterday in the Evening to Examin ſome of the Priſoners that are in *Newgate* for High Treaſon, in plotting and contriving the Death of His Majeſty. Namely *Thomas Feninſon*, *Edward Petre* and *William Ireland*, who were one after another brought before us. And they do all obſtinately deny their knowledg of any ſuch Plot or Deſign, and would not make the leaſt Confeſſion of any thing Relating to it. Although according to the Authority we had, we promiſed not only a Pardon, but likewiſe a Reward to him that ſhould Confeſs in Truth.

When *Edward Petre* was before us, we ſhewed him the Letter Directed to *William Timſtall*, warning him to be at the Congregation in *London* the 24*th*. of *April* laſt, which he owned to be his hand writing, but as to the Deſign of the ſaid meeting, he denies that he knows of any other then that of Chooſing an Officer to ſend abroad.

To *William Ireland* likewiſe we ſhewed ſome Letters and Papers (found among thoſe that were ſeized) which he owns to be his hand, but denies that which was ſent to *Winſor* to Mr. *Bennyfield*, which he ſaid was forged.

When

When we had done with these three Prisoners, we sent for Mr. *Edward Coleman*, who being brought before us; We put him in mind that when the day before, when he was charged by us for forged pretended letters in the Name of His Royal Highness, he then told us that if any such Letters were that they were not forged; we therefore now shewed him a draught of a *Letter* to be sent to Father *Oliva*, which he owned to be his hand and saith that it was from her Royal Highness the Dutchess, and that he prepared it by her Order.

We then shewed him a Letter drawn as from His Royal Highness to father *Le-Chese*; which he likewise owned to be his hand, and that he shewed it to His Royall Highness; But that His Royal Highness rejected it, and he confest he had no Order from His Royal Highness to prepare it, but that he did it upon his own head.

Being asked whether he delivered a Letter to His Royal Highness from father *Ferrier*, he said Sir. *William Trockmorton* brought it, and he said he is sure he delivered one Letter from *Ferrier* to His Royal Highness, and saith His Royal Highness was acquainted with his Correspondence with *Ferrier* and S. *Germain*, not perhaps with every letter but in general.

He denied that ever he had any Correspondence with father *Le-Chese*, but by St. *Germain*, but he was convinced to the contrary when a Letter from *Le Chese* to him was produced, acknowledging the receipt of his long letter of the 29*th* of *September* 1674.

Being asked of his going over to *Brussels*, he confest he was sent thither by His Royal Highness upon father *Patricks* coming over from the *Inter-Nuntio* there with an imperfect story, and that from that time the Correspondence was carried on all along, he said the L. *Arundel* of *Wardor* knew of his going, and that His Royal Highness was acquainted with the summ and substance of the Correspondence with the *Inter-Nuntio*.

After this we likewise offered him (as we were directed) that he should be pardoned and rewarded if he would discover it, by making a Franck Confession of what he knew. And to induce him to it, we told him that without any further Confession there was enough in his Papers for the Law to take away his life, but we could not make him own the knowledg of any thing further, but that he had been Guilty of a great many follies.

Whereupon it was asked him what made him desire to speak with His Majesty and His Royal Highness, when we sent for him the day before, To which he answered, that it was to

know

know how he ſhould Govern himſelf, as to naming the Duke.

Mr. *Colcman* being likewiſe asked on *Sunday*, why he had taken ſuch liberty of ſpeaking of the Kings Miniſters, and Reproaching ſome of them with breach of faith, and promiſes with his Royal Highneſs in Order to any of thoſe ends which he expected ſhou'd be promiſed by them, and whether he knew or had heard of any ſuch thing concerning them or any of them, whom he had mentioned in his ſaid Letters, he anſwered he had not, but had been fooliſh in that as well as in other things in delivering his own Opinion, and that he had no other ground for it.

We further obſerve to your Lordſhips, that neither *William Ireland*, nor *Thomas Jenniſon* (who were examined yeſterday) nor *Smith*, whom we examined laſt *Sunday*, will own any knowledg of the Congregation of the 24*th.* of *April* laſt, only *Edward Petre*, upon whom the knowledg of it was proved by his own letter to *William Tunſtal*.

After Debate this Queſtion was propoſed.

Whether theſe Papers ſhould be Communicated to the Houſe of Commons preſently at a Conference in Order to the joint advice of both Houſes.

Then this previous queſtion was put, whether this queſtion ſhall be put, it was Reſolved in the Negative.

Theſe Lords following deſired leave to enter their Diſſents if the queſtion was carried in the Negative, and accordingly entred their Diſſent.

(*Eſſex*)

(*Shafteſbury*)

Hodie prima vice lecta eſt Billa, An Act for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

The Duke of *Monmouth* gave the Houſe this account, that he and the reſt of the Lords have preſented the Addreſs yeſterday to His Majeſty, who takes it very kindly from their Lordſhips. And His Majeſty ſaid he had don moſt of the things already, the reſt he will do what ſhall be convenient.

The Houſe being informed, that the Lord *Bellaſis* now a Priſoner in the Priſon of the Kings Bench by warrant of the Lord Chief Juſtice of *England* for Treaſon, is ſo ill that he cannot without danger be removed. It is Ordered by the Lords

Spiritual and Temporal in Parliament Aſſembled, that Sir *Charl's Scarborough* be and is hereby appointed to go and viſit the ſaid Lord *Bellaſis*, and give this Houſe an account to morrow Morning in what condition of health he finds him.

Ordered that the conſideration of the preſent danger the Kings Majeſty and the Kingdom are in, and to preſent the ſame, be proceeded in to morrow Morning the firſt buſineſs, and nothing to interveen.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that His Majeſty be humbly deſired from this Houſe, that the Lord *Bellaſis* now Priſoner in the Priſon of the Kings Bench by vertue of the Warrant of the Lord Chief Juſtice of *England* for Treaſon, being (as it is informed) ſo ill that he cannot be removed, may have a Guard ſet on him there, and that notice be taken of the Names of all ſuch Perſons as ſhall come to viſit his Lordſhip there.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that His Majeſty be humbly moved from this Houſe, that *Collonel Roper* and ſuch other Officers as are ſent to be Priſoners in the Priſon of the Kings-Bench by Warrant of the Lord Chief Juſtce of *England* for Treaſon, be forthwith removed to be Priſoners in His Majeſties Tower of *London*.

Die Mercurii 30. *Octobris* 1678.

THe Lord Biſhop of *Rocheſter* Reported from the Committee appointed to inquire into the Horrid Deſign againſt His Majeſty, that their Lordſhips are unſatisfied with the delivery of ſome papers to Mr. *Colcman*, by one Captain *Berkeley* which were not read at Councel, who was examined at the Committee and now attends at the Door.

His Lordſhip Reported farther, that the Lord *Anneſley* Eldeſt Son to the E. of *Angleſey* Lord Privy Seal informed the Committee, that *Titus Oats* told him he could ſay ſomething to the Houſe towards the Clearing of His Royal Highneſs the Duke of *York*, from the Aſpertions which were caſt on him, and that *Titus Oats* is attending in the Lord Chancellors Room.

Upon which Captain *Berkley* being called in, gave an account to the Houſe, that he delivered thoſe papers to the Duke of *Monmouth*, and receiving them again from the Duke of *Monmouth*,

Monmouth, did give them to Mr. *Coleman*, pleading his Ignorance of the way he ought to have proceeded in, for which he is very sorry. Upon which (the House satisfied that the Duke of *Monmouth* did give the said papers to His Majesty, who perused them and returned them to the Duke of *Monmouth*,) the Lord Chancellor by Command of the House, gave him publick Reprehension for his indiscretion, and so he withdrew.

Then *Titus Oats* being called in, was sworne at the Bar, and required to answer to what he is now called in for concerning his discourse with the Lord *Anneſley* last Night about the Duke of *York*, he spake to this effect. That he was informed that Mr. *Coleman* had highly Impeached the Duke of *York* by letters; to which he said he thought the Duke was wholy innocent, for these Reasons.

1. Because they have a Counterfeit Seal of his and her Royal Highness, and that he was sent into *Spain* with Credentials under that Seal, being asked where that Seal is, he said it is in the Custody of *Richard Strange* the late Provincial of the Jesuites, that the party who signed his Credentials writt *James*, but he was not then so well acquainted with the Jesuites as to know who it was.

2. Because in *February* or *March* last, a proposal was made by the Fathers at *Gant*, that they wondred the Duke was not acquainted with it, to which, Answer was made because his love was great to the King his Brother, that he would not be true to them though he was a very good *Catholick*.

3. Because there was a Letter writt to *Blundel* saying, they longed to see the Duke trappanned into the business.

4. Because there were a parcel of Letters at *Windsor* to be delivered to His Royal Highness, that he might burn them, thereby to draw the Duke into the Plot. This he said he was not certain of, but *Meredith Loyd* said they brought them to the Duke for that purpose, and he would bring him hither to Attest it.

5. He said [being askt] that he carried no Letters into *Spain* signed *James* by the Duke, but the Credentials he had to *Spain* with him were signed and sealed in his presence by the Jesuites, *James*, and the Counterfeit Seal, so that he was received like a kind of Ambassador. both as from the Duke and the Society.

6. Because they have made Officers of State and War without the Dukes Privity.

Then he was commanded to withdraw.

Upon consideration of what *Titus Oats* had said, he was

called in again and told by the Lord Chancellor, that the House hath directed he shall be heard again, to morrow at Nine of the Clock. And the Lords do expect that by the Oath he hath now taken, he should go through with what he hath to say, and therefore he should prepare himself to deliver the whole truth of what he knows concerning the design against the Kings person, and the Government of this Kingdom.

Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that *Nathaniel Thompson* who is now in the Custody of *William Sorocoal*, for Printing Popish Books, for *James Thompson* shall stand Committed to the Prison of the *Gate house* at *Westminster* during the pleasure of this House, and this shall be a sufficient Warrant on that behalf.

Ordered that the Earl of *Shaftsbury* is added to the Sub Committee, for examining the Murther of Sir *Edmond-Bury Godfry*.

This day Dr. Scarborough gave the House an account, that he did visit the Lord *Bellasis* this Morning, and finds him in good health, and that his Lordship is ready to be removed as their Lordships shall think fit.

Ordered by the Lords Spiritual and Temporal in Parliament assembled, that the Lords with white Staves do attend His Majesty, humbly to desire him from this House that the Lord *Viscount* de *Stafford*; And the Lord *Bellasis* and Colonel *Roper* and his Son, and Mr. *Ratcliff* being Prisoners in the Prison of the Kings-Bench, by Warrant of the Lord Chief Justice of *England* for Treason, may be removed to remain Prisoners in His Majestis Tower of *London*.

Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords Committees appointed to examin papers relating to the Horrid Design against His Majesty, do proceed this afternoon in reading the papers before them, and so return them to Sir. *Philip Loyd* to be delivered to the King.

Die Jovis 31. *Octobris* 1678.

ORdered by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords with white Staves do attend His Majesty humbly to desire him from this House, that

that the papers of Mr. *White-bread* and Mr. *Micho*, which have been read at the Councel Table may be by His Majesty Commanded, brought before the Committee appointed to examin papers relating to the Horrid Design against His Majesty, and also that the Clerks of the Councel, may bring the Minutes taken by them upon the examination of *Titus Oats*, and others before the Councel concerning this Matter.

Ordered that the Committee for examining Papers and Letters, do meet to morrow Morning at Nine of the Clock, and finish the reading of them if they can.

The Earl of *Essex* and the Lord Bishop of *London* are added to the Sub Committee, for examining concerning the Murther of Sir. *Edmond Bury Godfry*

Ordered that the Lords Spiritual and Temporal in Parliament Assembled, that the papers of Mr. *Neffo*, which by Order of the Lords Committees appointed to examin papers relating to the Discovery of the Horrid Design against the King, were last Night brought into the Custody of the Clerk of the Parliament, shall be perused by Sir *Edward Carteret* Gentleman Usher of the Black Rod, and one of the Clerks attending this House (the said Mr. *Neffo* being present with them) to the end that an account of the said papers may be given to this House.

Titus Oats being appointed to attend the House this Day, to give an account of what he knows concerning the Horrid Design against His Majesties Person and the Government; was called in, who at the Bar made a long Narrative of it. In which a long time being spent and he wearied, humbly desired leave (there being much behind) that he might retire to refresh himself, upon which he had leave to withdraw. And it was Ordered that he shall be heard, what he hath further to say in the Afternoon.

Die Jovis 31. *Octobris* 1678. *Post Meridiem.*

Titus Oates being at the Bar, is directed to proceed in giving an account of the Commission given to several Lords and other Persons, for Officers Civil and Military.

Upon which he proceeded in a particular Narrative thereof with some Circumstances, tending to make out the truth

thereof, and then was Commanded to withdraw, but ſtay without.

Then upon Conſideration had hereof the Lord Chancellor, by directions of the Houſe Cauſed him to be called in again, and told him that the Lords expect not his entring into particular Circumſtances, but if there be particular Perſons concerned of what quality ſoever they be, the Houſe expected he ſhould name them, but he named none, but thoſe he had mentioned in his Narrative, nor could name no other Perſon.

Then being commanded to withdraw he humbly defired he might have a Guard, in regard it is late and dark and that he goeth in Danger, and ſo withdrew.

Upon Conſideration had whereof and of his preſent Condition in *White-hall*, he was called in again and told by the Lord Chancellor, that the Houſe takes very well what he hath done; And to the end he may be freed from thoſe Perſons, who may come to diſcourſe with him purpoſely to undermine, ſo as to invalid his Teſtimony concerning this buſineſs, he is to defend himſelf with this anſwer. That he is under the command of this Houſe, not to diſcourſe with any Perſons concerning this Matter, and is further told that the houſe hath recommended to the Duke of *Monmouth* to take care of the ſafety of his Perſon, and to the Lord Chamber-lain of His Majeſties houſe-hold for better accommodation of Lodgings, and to the Lord High Treaſurer of *England*, for ſupplying him with neceſſaries.

Upon which giving the Houſe his humble thanks, he withdrew.

Ordered that this Houſe will proceed to debate and conſider, what is fit to be done for the further preſervation of His Majeſties Perſon, the firſt buſineſs to morrow Morning.

Mary White upon Oath depoſed at the Bar, that about *Chriſtmas* laſt ſhe did hear *Richard Langhorne* ſay, that if one thing did ſhit, his father would be the third Man in the Kingdom, hereupon the houſe made this Order.

Upon Oath made at the Bar, that *Richard Langhorne* Son to Mr. *Langhorne* now Priſoner in *New gate*, hath uttered dangerous words, It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that Sir. *Edward Carteret* Gentleman Uſher of the Black Rod attending this Houſe or his Deputy, do forthwith Attach the Body of the ſaid *Richard Langhorne*, and bring him in ſafe Cuſtody to the Bar of this houſe, and this ſhall be a ſufficient Warrant on that behalf.

Ordered

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with the white Staves do wait on His Majeſty from this Houſe humbly to deſire His Majeſty, that Sir. *William Goreing* and Sir. *John Gage* now Priſoners in the Priſon of the Kings Bench for Treaſon, may be removed to remain Priſoners in His Majeſties Tower of *London*. And that the Lord *Arundel* of *Warder* and the ſaid Sir. *William Goreing* and Sir *John Gage* may by His Majeſties Order be kept cloſe Priſoners there, and not ſuffered to come each at the other, and not to be ſuffered to have either Pen, Ink or Paper, till further Order..

Whereas, *William* Lord *Peter* ſtands committed by this Houſe to the Tower of *London* for Treaſon, wherewith he is charged. It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Conſtable of the ſaid Tower, his deputy or deputies do take care that the ſaid Lord *Petre* be kept cloſe Priſoner and not ſuffered to come to the other Priſoners, nor to have the uſe of Pen, Ink or Paper, till further Order.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Sergeant at Arms attending this Houſe, his Deputy or Deputies do forthwith attach the Bodies of Mr, *Preſton* in *Duke-ſtreet* School-maſter, and the School-maſter in *Warwick-ſtreet*, *William Smith* the School-maſter of *Iſlington*, Mr. *Webſter* a School-maſter, Mr. *More* a Book-ſeller in *Duke ſtreet*, and his brother a Book-ſeller in *Holborn*, and Seize all ſuch Popiſh Books as are in the Cuſtody of the ſaid *More* or his Brother, and bring the ſaid Perſons in ſafe Cuſtody to the Bar of this Houſe, to anſwer all ſuch matters as ſhall be objected againſt them, on his Majeſties behalf, and for ſo doing this ſhall be a ſufficient Warrant.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Conſtable who hath ſeized a Trunck and Papers out of the hands of Mrs. *Thompſon*, Wife of *James Thompſon* now Priſoner in the *Gate houſe*, be and is hereby required to bring and deliver the ſaid Trunck into the Cuſtody of the Clerk of the Parliament, and for ſo doing this ſhall be his Warrant and Diſcharge.

Die Veneris Primo Novembris 1678.

ORdered by the Lords Spiritual and Temporal in Parliament Aſſembled, that all the Muſter Maſters of the ſeveral Regiments of His Majeſties Guards, be and are hereby required to attend the Lords Committees appointed to enquire into the Horrid Deſign againſt His Majeſties Perſon, to morrow at eight of the Clock in the forenoon in the Princes Lodgings neer the Houſe of Peers.

The Lord Biſhop of *Rocheſter* Reported, that it is the Opinion of the Lords Committees for examination and inſpection of the Letters and Papers concerning the Horrid deſign againſt His Majeſties Perſon, that it is fit that Mrs. *Saunders* in *Wilde ſtreet* and the Maſter of the *White-horſe* Tavern in the *Strand*, be Examined by the Lord Chief Juſtice of *England*, concerning the meeting of the Jeſuites at their Houſes in *April* or *May* laſt, hereupon it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Chief Juſtice of *England*, be and is hereby deſired to ſend for Mrs. *Saunders* in *Wilde ſtreet* and the Maſter of the *White-horſe* Tavern in the *Strand*, and Examin them as to any meetings or convents of Jeſuites or other Perſons whatſoever, at their or either of their Houſes in *April* or *May* laſt, or before or ſince, and of any other matter relating to the Horrid deſign againſt His Majeſties Perſon and His Kingdom, and to give an account thereof to this Houſe.

The Gentleman Uſher of the Black Rod attending this Houſe, acquainted this Houſe that he was informed, that on *Wedneſday* Night laſt there was heard great Knocking & Digging in the Earth in ſome Cellars neer adjoyning to this Houſe, which diſquieted many of the Inhabitants in the Old Pallace, whereupon theſe Lords following are appointed a Committee, to Examin the perſons, who heard a Noiſe of Knocking and Digging Earth on *Wedneſday* Night laſt between Twelve and Three of the Clock neer this Houſe, and their Lordſhips are to deſire Sir. *Thomas Chichley* to appoint ſome perſons ſkilful in mining to watch and uſe their utmoſt endeavor to make a diſcovery thereof, and Report to the Houſe.

Richard Langhorne (who was ſent for laſt Night in Cuſtody) being brought to the Bar is asked, what he meant by theſe Words (If one thing hit his Father would be the third Man in the Kingdom) And whether he knew *Mary White*, who had ſworne ſhe heard him ſpeake theſe Words, he denyed that he

ſpake

ſpake ſuch Words, or that he knowes *Mary White*?

Then the ſaid *Mary White* being called for and not attending, he is Ordered to withdraw and ſhe to be ſent for.

Next *Mark Preſton*, Mr *Smith*, *Dennis Gliſſon*, Mr. *More* and *Mathew Turner* (who were ſent for in Cuſtody) Being brought to the Bar, *Titus Oates* is called in & asked, what he had to ſay to the Perſons at the Bar, who looking on *Marke Preſton* ſaid, he was a Romiſh Prieſt, and being asked how he knew it, he ſaid he had been at Confeſſion with the ſaid *Marke* at *Wilde-houſe*, and that he had Confeſſed to the ſaid *Marke Preſton* as a Prieſt. All which the ſaid *Mark Preſton* denied, alleadging he is a Married Man and hath Children, and is no Prieſt, and being asked when and where he was Married, he ſaid he was Married above 11 Years ſince in Mr. *Langhorns* Chamber in the *Temple* by a Prieſt, who went by the Name, of Mr. *Le ſeare*, upon which *Richard Langhorne* being called in, is asked if he knowes *Marke Preſton* (at the Bar) who ſaid he knows him, and had known him ſeveral Years, and that he had been his Tutor.

Then *Titus Oates* looking on Mr. *Smith*, ſaid he knew him not, but had heard by a Gentleman [Mr. *Kirby*] of the Guards that Mr. *Smith* had ſpoken very unſeemly Words againſt the Kings Perſon, which words *Smith* wholly denied to have ſpoken.

Next *Titus Oates* ſaid of *Dennis Gliſſon* that he heard by Dr. *Tongue* that the ſaid *Gliſſon* being a School-maſter did inſtil ill Principles into Children, and that he ſaid there is no Learning in *Cambridg* and nothing but Debauchery in *Oxford*, *Gliſſon* denied any ſuch Words, and he is a Proteſtant and hath a Licence from the Lord Biſhop of *Londons* Chancellor to be School-maſter, which he produced.

After this *Titus Oates* Charged Mr. *More* (at the Bar) to be a ſeller of Popiſh Books, and that he had told him (the ſaid *Oates*) in *Auguſt* laſt, that he had Five Hundred Pound Worth of Popiſh Bookes in *Sommerſet-Houſe*, to which Mr. *More* ſaid he had been impriſoned in the *Gate houſe* already, for that fault of ſelling Popiſh Bookes, *Oates* ſaid *More* ſold him one of *Godwins* Bookes againſt Dr. *Stllingfleet*, and told him he had Four hundred of them.

Titus Oates alſo Charged *Mathew Turner* with ſaying to him the ſaid *Oates* that upon a ſearch made for Popiſh Bookes, he and his Brother Mr. *More* had been too nimble for the Searchers And the Houſe being Informed, that there was a Trunck of Books found in a Houſe of Office at *Turner's* Houſe, he is

asked

asked what they were, and he ſaid they were *Welſh* Bookes of Popiſh Devotion.

Then the ſaid perſons being all Commanded to withdraw, the Houſe made theſe Orders following,

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that *Mark Preſton* who was this day brought to the Bar by the Sergeant at Armes attending this Houſe and Charged with Treaſon, be forthwith carried to *New-gate*, there to remaine in ſafe Cuſtody till he ſhall be diſcharged by due courſe of Law, and this ſhall be a ſufficient Warrant on that behalf.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. *Smith* who was brought to the Bar to anſwer ſuch matters as ſhould be Objected to him on His Majeſties behalf, ſhall be and remaine in the Cuſtody of the Gentleman Uſher of the Black Rod attending this Houſe till further Order be given concerning him.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Perſons who have ſeized a Trunck of Bookes at the Houſe of Mr. *Turner* a Booke-ſeller in *Holborne* (which the Houſe are Informed are Popiſh Bookes) do forthwith carry the ſaid Trunck of Bookes to the Houſe of the Lord Biſhop of *London*, to be diſpoſed of as his Lordſhip ſhall direct.

Then *Titus Oates* and *Richard Langhorne* being called in, *Langhorne* denied that he knew *Titus Oates*, who to convince *Langhorne* of the contrary, told him, that he brought Letters in *November* 1677 to his Father from his Sons in *Spaine*, and that this *Richard Langhorne* told him when he Knockt at the Door with the ſaid Letters, that his Father was at Dinner and Deſired him to Meet his Father at his Chamber at Night.

Oates ſaid further that this *Richard Langhorne* Received a Commiſſion from his Father Mr. *Langhorne* in *Oates* his preſence to be carried to the Lord *Arundel* of *Warder*, that *Richard Langhorne* did put it in his Pocket, but whether he delivered it or no, *Oates* knowes not.

Then *Langhorn* being aſked whether his Father did draw any Writings for the ſaid Lord *Arundel*, he ſaid he did not know of any.

Upon which they being withdrawne, it was Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that *Richard Langhorne* now in the Cuſtody of the Gentleman Uſher of the Black Rod attending this Houſe, ſhall be by him Conveyed to the Priſon of *Newgate*, there to remaine a Pri-

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ſoner for Treaſon; wherewith he is charged until he ſhall be diſcharged by due courſe of Law, and that the Keeper of *Newgate* take care that the ſaid *Richard Langborne* be not permitted to come at his Father now a Priſoner there, and for ſo doing this ſhall be a ſufficient Warrant.

Upon reading the Petition of *Bridget* Lady *Petre* wife of *William* Lord *Petre* now Priſoner in the Tower, taking notice of the reſtraint put upon his Lordſhip by this Houſe, and praying that ſhe may be admitted to be with her Husband in ſuch manner as this Houſe ſhall think fit. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Lady *Petre* may be admitted to come to the ſaid Lord *Petre* if ſhe think fit, provided ſhe remaine with his Lordſhip under the ſame confinement he now is Ordered until further Order, and this ſhall be a ſufficient Warrant on that behalf.

Die Veneris Primo Novembris 1678. *Poſt Meridiem.*

A Meſſage was brought from the Houſe of Commons by Sir. *Henry Capel* and others, to deſire a conference touching matters of high concernment, Relating to the preſervation of His Majeſties perſon, the ſafety of the Government, and the Proteſtant Religion.

The anſwer returned was that this Houſe agrees to a conference, and appoints the ſame to be preſently in the painted Chamber.

The Commons being come. The Houſe was adjourned during pleaſure, and the Lords went to the conference, which being ended, the Houſe was reſumed.

The Lord Chancellor Reported the effect of this conference, which was managed by Sir. *Robert Sawyer*, who ſaid that the Houſe of Commons, after examinations of ſeveral perſons and papers, many of which papers His Majeſty did acquaint the Houſe of Commons with, and had been communicated to your Lordſhips and Deliberate conſideration had hereupon, came to this Unanimous Reſolution,

Reſolved, Nemine Contradicente

That upon the Evidence, that has already appeared to

this

this Houſe, that this Houſe is of opinion there hath been and ſtill is a damnable and helliſh Plot contrived and carried on by the Popiſh Recuſants for the Aſſaſſinating and Murthering the King, and for ſubverting the Government, and rooting out and deſtroying the Proteſtant Religion.

The Houſe of Commons being very ſenſible of imminent danger both of the King and Kingdom are in, do think it their duty to acquaint your Lordſhips therewith, and do pray your Lordſhips will be pleaſed to take it into your ſerious and ſpeedy conſideration, what remedies are fit and ſuitable to be applyed for preſerving the Kings Perſon and preventing the alteration of Religion and Government; to which the Commons ſhall readily concurr as they doubt not of your Lordſhips concurrence, to ſuch remedies as have or ſhall be by them propoſed to your Lordſhips for the effecting of this great end.

Ordered, that this Houſe agrees with the Houſe of Commons in this Vote *nemine contradicente.*

Ordered, to have a conference with the Houſe of Commons to acquaint them with the concurrence of this Houſe, and the ſenſe of this Houſe thereupon as followeth.

The Lords have conſidered the Vote of the Houſe of Commons communicated to them at the conference, and have moſt readily and unanimouſly concurred with them *nemine contradicente*: And their Lordſhips are very glad to ſee that zeal which the Houſe of Commons have ſhewed upon this occaſion, and do fully concurr with them that the moſt ſpeedy and moſt ſerious conſideration of both Houſes are neceſſary for the prevention of the imminent dangers.

In order whereunto their Lordſhips have reſolved to ſit de die in die both Forenoon and Afternoon, and deſire that the Commons would do ſo too, and when their Lordſhips ſhall have well conſidered of full and proper remedies for thoſe dangers, they will be ready to communicate them to the Houſe of Commons, and will alſo take in good part what ever ſhall be communicated to them by the Houſe of Commons, and will ſuffer nothing to be wanting on their parts which may preſerve a good underſtanding between both Houſes, which is abſolutely neceſſary to the ſafety of the King and Kingdom.

A Meſſage was ſent to the Houſe of Commons by Sir *Edward Low*, and Sir *John Francklyn*, to deſire a preſent conference with the Houſe of Commons in the Painted Chamber upon the ſubject matter of the laſt conference.

The Meſſengers return with this anſwer, that the Houſe of Commons agree to give their Lordſhips a preſent conference in the Painted Chamber.

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The House was adjourned during pleasure and the Lords went to the conference, which being ended, the House was resumed, and the Lord Chancellor gave the House this account. That he had delivered at the conference what he was directed, at which there was a very great expression of joy.

Die Sabbati Secundo Novembris 1678.

ORdered by the Lords Spiritual and Temporal in Parliament assembled, that the four Clerks and all other Servants belonging to Mr. *Edward Coleman*, be and are hereby required to appear before the Lords Committees appointed to examine the horrid design against His Majesties Person on *Monday* next at Eight of the Clock in the Forenoon in the Princes Lodgings near the House of Peers.

Ordered that the Lords Committees who were appointed to examine Mr. *Coleman* and other Prisoners in *Newgate* for Treason, be and are hereby appointed to go to the *Tower* and examine the Lords who are Prisoners there for Treason.

The *L. C.* Justice reported, that according to the Order directed to him he hath sent for and examined Mrs. *Saunders*, who saith she hath kept the house Five or Six Years, and that *Whitebread* and *Micho* are there, she knows no other, she hath heard of *Fenwick*, and she hath seen *Oates* in the Spring of the year come to *Whitebread*, but is obstinate, and will confess nothing more then what your Lordships knew before.

That the Master of the *White horse* Tavern in the *Strand* is dead, and his Wife is Married again to one that is no Vintner, and they are gone from thence.

That he hath heard of a Drawer in that Tavern who is a Papist, and his Lordship will send for him and examine him.

The Earl of *Essex* Reported from the Committee to inquire after the noise of digging in the night, that upon the report of Sir *Christopher Wren* and Sir *Jonas Moor*, that the Vaults and Cellars under and near this House are of such a nature that there can be no assurance of safety, and the only remedy at present is that the Cellars of the Houses near this House and the Court of Requests, may be cleared and a passage made out of one into the other, so that Soldiers and Sentinels

tinels may walk day and night there and have a truſty Officer over them.

Hereupou the Houſe made this enſuing order.

Upon report made by the Earl of *Eſſex* from the Lords Committees appointed to inquire into the inſecurity of this Houſe, by reaſon of the Vaults and Cellars under and near it of what hath been offered to them for the better ſecuring of the ſitting of the Parliament.

It is Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that all the Cellars and Vaults under and near adjoyning to the Houſe of Peers Painted Chamber, and Court of Requeſts be forthwith cleared, and that all Timber, Firewood, Coals and other Materials of what kind ſoever be removed out of the ſaid Cellars and Vaults, and that paſſages be forthwith made through all the ſaid Cellars and Vaults to the end that Soldiers and Sentinels with truſty Officers over them, may continually night and day walk to and fro and watch in the ſaid Cellars and Vaults till further Order, and that Mrs. *Debaure* who liveth in a Brick-houſe in the Old *Palace-yard*, adjoyning to the Court of Requeſts, be and is hereby required forthwith to quit her habitation in the ſaid Houſe, to the end that a Guard may be kept therein till further Order, and it is further Ordered, that it be and is hereby recommended to the Lord great Chamberlain of *England*, or in his abſence to the Surveyor General of His Majeſties Works, to take ſpecial care that the ſaid Cellars and Vaults and the houſe in which the ſaid Mrs. *Debaure* liveth be ſpeedily cleared, and that the ſaid paſſages be made in the ſaid Cellars and Vaults for the purpoſes aforeſaid.

Commiſſary *John Baynes* being ſworn gave the Houſe this account that he knows not of any Soldier in the three Troops of Horſe Guards, who have not taken the Oaths of Allegiance and Supremacy, and received the Sacrament according to the uſage of the Church of *England*. And Commiſſary *David Crawford* upon Oath ſaid, that all the Officers of Foot in the Guards have taken the Oaths of Supremacy and Allegiance and teſt, but they had no orders concerning private Soldiers.

They both ſaid that ſome Popiſh Officers are caſhiered who have not taken the Oaths, and that they cannot give any account of any others come into the places of the Popiſh Officers that are removed till the next Muſter.

They gave in the names of ſeveral under Muſter-maſters who are not in Town but reſiding at their ſeveral charges.

Upon

Die Lunæ Quarto Novembris 1678.

UPon reading the Petition of Lievtenant *William Sorocoal* ſhewing that he and his Family are in danger of their Lives, by means and aſſaults made on his Wife and Servant, for the ſervice he hath done in apprehending ſeveral perſons by Order of this Houſe, and praying the direction of this Houſe for his ſafety. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *William Sorocoale* and ſuch other perſons as have been Sworne at the Bar to teſtify concerning this matter, ſhall be examined by the Lords Committees appointed, to examine the horrid deſign againſt His Majeſty, and their Lordſhips are to make Report thereof unto this Houſe.

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords Committees appointed to examine the Lords who are Priſoners in the Tower for Treaſon, ſhall alſo examine ſuch other perſons as their Lordſhips ſhall think fit, who are now Priſoners in the Tower for Treaſon, and alſo Sir. *Ellis Leighton* now Priſoner in *Newgate*, and that the Lord Chief Juſtice of *England* do aſſiſt their Lordſhips at ſuch times as their Lordſhips ſhall appoint, and that one of the Clerks of His Majeſties Privy Councel is to attend their Lordſhips in this Buſineſs.

Die Lunæ Quarto Novembris 1678. *Poſt Meridiem.*

THis Houſe being moved, that the Lord *Arundel* of *Warder* now cloſe Priſoner in the Tower of *London*, being a material witneſs in a cauſe, wherein the Duke of *Norfolke*, the Earl of *Peterborough* and the Lord *Mowbray* are concerned may be examined *in perpetuam rei memoriam*. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that notwithſtanding the reſtraint under which the ſaid Lord *Arundel* now is, one Maſter of the Court of Chancery, and two Examiners of the Court of Chancery, be and are hereby Authorized to Repair to the Lord *Arundel* of *Warder* in

in the Tower to adminiſter the Oath, upon which his Lordſhip is to be examined and to examine and croſs examine the Lord *Arundel*, on the behalf of both parties in the ſaid Cauſe, upon ſuch Interrogatories as ſhall be prepared for that purpoſe, but not to diſcourſe with the ſaid Lord *Arundel* upon any other buſineſs whatſoever, and for their ſo doing this ſhall be a ſufficient Warrant.

Upon Report made by the Lord Biſhop of *London*, that *William Smith* now in the Cuſtody of the Gentleman Uſher of the Black Rod, having by Order of this Houſe attended his Lordſhip, and there propoſed the bringing of a Perſon before this Houſe, who can diſcover much of the Jeſuites Lands and Money, and that the ſaid *William Smith* is a Proteſtant and Poor, and that his Licence to teach a School is revoked, and that if he may have his liberty is not in a Capacity to do harm.

It is Ordered, that the ſaid *William Smith* have liberty to find out and bring the ſaid diſcovery before the Lords Committees appointed to examine papers concerning the Horrid Deſign againſt His Majeſties perſon, on *Wedneſday* next at Eight of the Clock in the Forenoon in the Princes Lodgings near the Houſe of Peers, and that he giving ſecurity to be of good behaviour be diſcharged from any further reſtraint, and this ſhall be a ſufficient Warrant on that behalf.

Ordered. by the Lords Spiritual and Temporal in Parliament Aſſembled, that His Majeſties Atturney General give this Houſe an account of the reaſon of the penning of the Proclamation, for Baniſhing of Papiſts from *London* and *Weſtminſter* as it is now penned, on *Wedneſday* the ſixt day of this Inſtant *November* at ten of the clock in the Forenoon.

Upon complaint made to this Houſe, that Lieutenant *William Sorocoale* hath placed Guards of Soldiers and ſeized goods of ſome perſons without any Order or Authority, for that purpoſe. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *William Sorocoale* preſume not hence forward to ſieze any perſons Goods, or ſet Guards on any perſons Houſe, without the Order of this Houſe or of the Lord Chief Juſtice of *England*, or ſome other Juſtice of peace as he will anſwer the contrary to this Houſe.

Upon information given to this Houſe that there is a Trunck of papers ſiezed or ſecured at a Coffee-mans houſe in *Swan Yard* over againſt Somerſet houſe by Dr. *Chamberlaine*, which may have papers of dangerous conſequence in it. It is Ordered by the Lords Spiritual and Temporal in Parliament

ment Assembled, that the said Trunck be forthwith brought before the Lords Committees appointed, to examine witnesses concerning the Murther of Sir *Edmondbury Godfrey* to be by their Lordships perused and an account given thereof to the House.

Upon reading the petition of *Mathew Turner* Book-seller, shewing that being brought before this House, and upon examination discharged, Lieutenant *William Sorocoale* continueth Guards upon his house, which he humbly prayeth may be discharged. It is thereupon Ordered that the Lords Spiritual and Temporal in Parliament Assembled, that if there yet remain any such Books at the said *Matthew Turners* house as ought to be seized, they be forthwith carried to the Lord Bishop of *London* to be disposed of as his Lordship shall direct, and that the Guard commanded by Lieutenant *William Sorocoale* now at the house of the said *Matthew Turner*, be forthwith removed as the said *William Sorocoale* will answer the contrary to this House.

Ordered. by the Lords Spiritual and Temporal in Parliament Assembled, that the L. Chamberlain to the Queens Majesty, do cause a List to be made of such Servants belonging to Her Majesty as are Papists, and to be brought into the House of Peers, on *Wednesday the* sixt of this instant *November* at ten of the Clock in the Forenoon

Ordered. by the Lords Spiritual and Temporal in Parliament Assembled, that the Lord Major of the City of *London*, do cause a List to be made of all such Foraign Merchants, Traders in *London* as are Papists, and send the said List to the House of Peers, by *Wednesday* the sixt of this instant *November* at ten in the Forenoon.

Ordered, that a List be prepared, and made of such Servants belonging to Her Royal Highness of *York* as are Papists, and to be sent into the House of Peers on *Wednesday* the sixt of this instant *November* by ten of the Clock in the Forenoon.

Ordered, that this House be put into a Committee presently to consider of such proposals, as shall be Offered for the preservation of His Majesties person, and the safety of the Kingdom.

And accordingly the House was adjourned into a Committee during pleasure, the House being resumed, the Earl of *Bridge water* Reported that the House had considered of some heads of proposals in Order to an address to be presented to His Majesty, and the Committee desired, that the House would give leave, that the House may be put into a

Committee again on *Wedneſday* Morning next, to conſider of more propoſals which the Houſe agreed to, and Ordered the ſame accordingly.

Three propoſals were read and agreed to but to be further perfected.

Die Mercurii 6. Novembris 1678.

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that the Gentleman Uſher of the Black Rod or his Deputy go and ſeize the Perſon of Sir *Robert Walſh*, with what Papers are about him and alſo ſuch Papers as are in his Cuſtody, and bring him and them in ſafe cuſtody to the Bar of this Houſe to anſwer ſuch things as ſhall be objected againſt him, and this ſhall be a ſufficient Warrant on that behalf.

This Houſe being informed, that the Gentleman Uſher of the Black Rod hath according to order ſeized the Perſon and Papers of Sir *Robert Walſh*, It is Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that the ſaid Sir *Robert Walſh* ſhall remain in the Cuſtody of the Gentleman Uſher till further Order, and that he be brought with his Papers before the Lords Committees, appointed to Examine Papers concerning the horrid deſign againſt His Majeſties Perſon, to be Examined by their Lordſhips to Morrow at Eight of the Clock in the Forenoon, for whoſe Cuſtody this ſhall be a ſufficient Warrant.

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lords with White Staves do from this Houſe attend His Majeſty, humbly to deſire that His Majeſty would be pleaſed to give orders, that Guards of Soldiers with truſty Officers over them may be appointed to be and Watch, day and night during the ſitting of the Parliament in the Cellars and Vaults under and near the Parliament Houſe, which are fitted for that purpoſe.

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that *Mary White* who hath formerly appeared at the Bar as a Witneſs againſt *Richard Langhorn* Junior, he and is hereby required to give ſecurity before ſome one of His Majeſties Juſtices of Peace, to be returned into the Court where the ſaid *Richard Langhorn* ſhall be brought to Tryal

that

that ſhe will appear to give Evidence at the Tryal, and alſo where ſhe ſhall be found from time to time till after the ſaid Tryal.

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that Mrs. *Coleman* Wife of *Edward Coleman* now Priſoner in *Newgate* for Treaſon, be and is hereby required to appear before the Lords Committees appointed to examine Papers concerning the horrid deſign againſt His Majeſty to Morrow at Eight of the Clock in the Forenoon in the Princes lodgings near the Houſe of Peers.

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that the Keeper of the Priſon of *Newgate*, be and is hereby required to bring the body of *Richard Langhorn* Junior (now a Priſoner in his cuſtody) to the Bar of the Houſe of Peers, to Morrow at ten of the Clock in the Forenoon, and for ſo doing this ſhall be his ſufficient Warrant.

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that Mrs. *Langhorn* Wife of Mr. *Langhorn* now Priſoner in *Newgate*, *Mary Plumner* and *Mary White*, be and are hereby required to appear at the Bar of this Houſe to Morrow at ten of the Clock in the Forenoon.

This Houſe being moved that ſome notice may be taken of the tranſlation of the Proclamation, for Baniſhing Papiſts from London *and* Weſtminſter, *publiſhed in the* French Gazett, *in which it differeth from the Proclamation publiſhed in the* Engliſh Gazett: *It is ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that it be and is hereby referred to the Lords Committees appointed to examine Papers relating to the horrid deſign againſt His Majeſties Perſon to conſider thereof, and ſend for and examine the Tranſlator and Licencer thereof and make report unto the Houſe.*

Maſter Attorney General being adviſed with about the Proclamation for the removal of Papiſts from the Cities of *London* and *Weſtminſter*, the Lords were ſatisfied that the ſaid Proclamation, was according to the Addreſs of both Houſes of Parliament, and the Directions which he received from His Majeſty.

The Houſe being moved, that the granting of Licences by the Lords of the Council to Perſons to ſtay in Town might be explained, it was propoſed, that Perſons not being Traders and Forreign Merchants, Traders and ſuch Perſons as the Lords of the Council ſhall for prudential reaſons grant Licenſes to, to ſtay in Town, ſhould not have the Oathes mentioned in the Proclamation, for Baniſhing Papiſts from London *and* Weſtminſter, *&c. tendred to them which was ordered accordingly.*

And that the Commiſſions to be iſſued to the Juſtices of the peace for tendering the ſaid Oaths be limited to that purpoſe.

Then the Houſe declared, that all Peers, Peers Widows (who have not ſince Married to Commons) and the Wives of Peers ought to enjoy the Priviledge of Parliament, and not to be comprehended within the penalties enjoyned by the Proclamation, for Baniſhing Papiſts from *London* and *Weſtminſter*.

Purſuant to which laſt Declaration, the Houſe being moved on the behalf of the Marchioneſs *Dowager* of *Worceſter*, the enſuing Declaration was granted to her.

The Lords Spiritual and Temporal in Parliament aſſembled, do declare that *Margaret* Marchioneſs *Dowager* of *Worceſter*, as ſhe is a Peereſs of this Realm ought to enjoy priviledge of Parliament, and not to be comprehended within the penalties enjoyned by the Proclamation, for Baniſhing Papiſts fron *London* and *Weſtminſter*.

The Houſe further Ordered, that no Licences be granted to Papiſts to come into the Kings preſence or Court.

The Houſe being moved that ſome Boys belonging to the *Charterhouſe* in *London*, may be examined in order to the further diſcovery of the horrid deſign againſt His Majeſties Perſon, it is Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that it be and is hereby referred to the Lords Committees appointed to examine Papers concerning that matter, to ſend for and examine ſuch Boys and other Perſons from the *Charterhouſe*, and elſewhere as their Lordſhips ſhall think fit, and make Report thereof unto the Houſe.

Die Jovis Septimo Novembris 1678.

The Lord Biſhop of *Bath* and *Wells* Reported, that the Committee for Examination of Papers concerning the hortid deſign againſt His Majeſties Perſon, have Examined *Jerome Boateman* Servant to *Edward Coleman* now a Priſoner in *Newgate*, concerning two Letters which have been ſuppreſt directed to Mr. *Coleman*, which two Letters the ſaid *Jerome Boateman* confeſſes he received, and delivered them into the hands of Mrs. *Colcman*, who ſayes ſhe does not remember that any Letters were delivered to her.

His Lordſhip further reported, that the Committee further deſires one *Whitehall* may have his Oath given him in order to his examination concerning M. *Coleman*, which was preſently done.

Lieutenant Sorocoale *gave the Houſe an account, that he hath apprehended one* John Blundel, *by Warrant of a Juſtice of Peace upon a ſuſpition of Firing Lyme-houſe, the Houſe gave directions that*

that the ſaid Blundel *ſhould be brought to the Bar, and at the ſame time Mr.* Titus Oates *ſhould be preſent, to know whether he knows him to be that* Blundel *the Romiſh Prieſt which he mentioned in his Narrative.*

Next *Richard Langhorn* the younger was brought to the Bar, and *Mary White* was produced as a Witneſs againſt him, who being asked whether ſhe did know the ſaid *Richard Langhorn*, and what ſhe had to ſay concerning him, ſhe anſwered that ſhe did know the ſaid *Richard Langhorn*, and ſhe did hear the ſaid *Langhorn* ſay he did not doubt, but if one thing hit, his Father would be the third Man in the Kingdom.

Langhorn confeſſed he knew the ſaid *Mary White* but denyed he ſpake any ſuch words, and ſaid, why ſhould he ſay any thing to her who was an Enemy to Catholicks.

Then *Mary Plunner* upon her Oath ſaid, that ſhe was told by Mrs. *Langhorn* (Mother to the ſaid *Richard Langhorn*) that ſhe went lately to her Sons Chamber, and found him very jovial, whereupon ſhe asked him how he could be merry ſeeing there was a Warrant againſt him, upon the account of bringing the Commiſſion to his Father to be Judge Advocate, he replyed he did not fear, nor would he fly, at which Mrs. *Langhorn* ſaid none but a Prince could make Generals. To which he ſaid let them bring it to that.

Then Mrs *Langhorn* ſaid ſhe was at her Son *Richard Langhorns* Chamber, and he ſaid to her thoſe words as *Mary Plunner* hath depoſed.

The Houſe was adjourned into a Comittee during pleaſure to conſider the Bill for the more effectual preſerving the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament, the Houſe was reſumed.

Then John Blundel *was called in, and* Titus Oates *was asked whether he knows the ſaid* John Blundel, *and whether he be not that perſon he mentions to be the Romiſh Prieſt in his Relation, he anſwers he doth not know this Perſon, and he who he mentions is* Nicholas Blundel.

This John Blundel *confeſſed himſelf to be a Romiſh Recuſant, but denyed he had any hand in the Burning of Lyme-houſe, ſo there being no other Accuſation againſt him, the Houſe Ordered that he be diſcharged for this matter.*

Ordered, that to morrow Morning this Houſe be put into a Committee to proceed further in the Conſideration of the Bill, for the more effectual preſerving the Kings Perſon and Government.

A Meſſage was brought from the Houſe of Commons by Mr. *Powle* and others, to acquaint their Lordſhips that the

Commons had prepared an humble Addreſs to be preſented to His Majeſty, to which they deſire their Lordſhips concurrence.

2. To put their Lordſhips in mind of the Bill brought up from the Houſe of Commons concerning the preſervation of His Majeſties Perſon and Government.

The ſaid Addreſs was read, and it is Ordered that this Addreſs ſhall be taken into conſideration to morrow Morning.

Ordered, *by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lords with white Staves do wait on His Majeſty humbly to deſire him from this Houſe, that His Majeſty will be graciouſly pleaſed to grant His Royal Pardon to* Titus Oates, *for what he hath done and confeſſed concerning himſelf, for which he is lyable to the ſeverity of the Laws of this Kingdom.*

Whereas upon ſome Information given to this Houſe by the Earl of *Clarendon*, that there might be ſome Papers of dangerous conſequence in the cuſtody of Sir *Robert Walſh*, he with all his Papers were ſeized Yeſterday by order of this Houſe, and is now in the cuſtody of the Gentleman Uſher of the Black Rod, upon reading the petition of the ſaid Sir *Robert Walſh* this day praying his relief: It is Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that he be and is hereby diſcharged from his preſent reſtraint for this day, and he is hereby required to attend the Lords Committees appointed to Examine Papers concerning the horrid deſign againſt His Majeſties Perſon, to morrow at Nine of the Clock in the Forenoon in the Princes Lodgings, whoſe Lordſhips are to peruſe his Papers, and to conſider whether there be any cauſe for his further reſtraint, and make Report unto the Houſe.

Ordered, *That* Richard Langhorn *be returned to the Priſon of* Newgate, *and the Keeper of* Newgate *was called in, and charged he ſhould have a great care of this Priſoner, and not ſuffer any Perſon to ſpeak with him.*

Die Veneris Octo Novembris 1678.

THe Lord Treaſurer Reported, that himſelf and the other Lords went yeſterday according to their Lordſhips order, to Examine ſome of the Priſoners in the *Tower*, and the firſt they had before them was Sir *John Gage*, who owns the

the Examination, which was taken of him by Sir *Thomas Stringer* to be upon Oath, and that the Paper which they ſhewed him (which was put into their hands from Sir *Thomas Stringer*) was a copy of his ſaid Examination, but he denyes that he was Examined by the Lord Chief Juſtice, or that he ever received any Letter or Commiſſion whatſoever from Mr. *Oates*, or that he knows any thing of any Plot againſt His Majeſties Service or againſt the Government.

Sir *William Goring* was before them next, who likewiſe denyed any kind of knowledg of thoſe things which he was accuſed of, or that he knew any ſuch Man as Mr. *Oates*.

They then ſent for the Lord Arundel *of* Warder, *whom they firſt Examined as to his being privy to Mr.* Colemans *going to* Bruſſels *to the Popes* Nuntio, *and urged to him that the Letters to* Coleman *from the* Nuntio, *did give a caution that none ſhould be truſted with the buſineſs but his Royal Highneſs and the Lord* Arundel, *yet his Lordſhip did abſolutely deny that he knew any thing of the Tranſaction, between* Coleman *and the ſaid* Nuntio, *or of* Colemans *errand into* Flanders, *but ſaid, it is likely he took his leave of him before he went.*

His Lordſhip did own *Coleman* was twice with him that day *Colemans* Papers were ſeized, that the firſt time they diſcourſt of Indifferent matters, the laſt time (which was about Six in the Evening) *Coleman* ſpoke of his Papers being ſeized, and that thereupon his Lordſhip adviſed him to follow his Papers and render himſelf.

Being askt, his Lordſhip further declared he never ſaw Mr. *Oates* in his life, and that he never was at Mr. *Langborns* Chamber but once, and never ſaw him but that time, and that he never did any buſineſs for him, and that he was ſo far from having any acquaintance with Mr. *Langborns* Sons, that he did not know Mr. *Langborn* was Marryed until he lately askt the queſtion. And as for his Lordſhip receiving any patent, Commiſſion or any Power from Forreigners, he ſaith he never did, but hath a patent for Count of the Empire, and for the place of Maſter of the Horſe to her late Majeſty the Queen Mother, and never had any other.

His Lordſhip further declared, that he never had any thing to do with any Jeſuit, but that he knows moſt of thoſe that are in Priſon.

The Lord Petre *was the laſt that their Lordſhips Examined, and they acquainted his Lordſhip with Mr.* Oates *his depoſitions againſt him, that he had received a Commiſſion for Lieutenant Generall, from Mr.* Oates *in Mr.* Langhorns *Chamber, in the preſence of Mr.* Langworth, *and that Mr.* Langworth *gave his*

Lordſhip joy thereupon, all which his Lordſhip did utterly deny or that he knew Mr. Oates *or had ever ſeen him, or that he ever ſaw Mr.* Langhorn, *or was at his Chamber or knew where his Chamber was, his Lordſhip indeed did acknowledg that he knew* Langworth, *and that he had lately heard that Mr.* Oates *had been at his Houſe, but that he had never heard of his name until* Michaelmas *Eve laſt, when his Lordſhips Houſe was Searched for Mr.* Langworth.

And as for his offering any thing to Perſons that ſhould change to the *Romiſh* Religion, his Lordſhip doth abſolutely diſown it, as alſo that ever he had any Commerce with Mr. *Coleman* about any matter of buſineſs.

This is the ſumm of what their Lordſhips had to acquaint the Houſe with beſides an humble Supplication of the ſaid Lords, which they deſired their Lordſhips would acquaint the Houſe with, in regard they cannot Petition the Houſe, being debarred from the uſe of Pen, Ink, and Paper, which is, that this Houſe would be pleaſed to remit their cloſe Impriſonment, and that they might be permitted to walk in the *Tower* for their Health, which is in danger by their preſent cloſe reſtraint.

Their Lordſhips further giving the Houſe an account of ſome irregularities, which they obſerved in ſome of the Officers belonging to the *Tower*, the Houſe made the Order following.

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lords with white Staves do attend His Majeſty from this Houſe, humbly to acquaint him, that the Houſe of Peers having received Information of the inſecurity of His Majeſties *Tower* of *London*, and of keeping Priſoners there by reaſon of the careleſneſs of the Officers in not attending the duty of their places in the *Tower* as they ought, do therefore humbly beſeech His Majeſty that he would pleaſe to give ſuch order for the better ſecuring his ſaid *Tower*, and the Priſoners there as His Majeſty ſhall think fit.

The Lord Treaſurer reported, by His Majeſties directions that Yeſterday one *William Bedloe* was Examined at *Whitehall*, concerning the Diſcovery of the Murther of Sir *Edmondbury Godfrey*, and that His Majeſty had given Order he ſhould be brought to give this Houſe an account thereof, who being brought to the Bar and had his Oath given him, made a large Narrative to this Effect. That he was born in *Monmouth-ſhire* and was of the Church of *England* till within theſe two Years, that by perſwaſion and promiſes from the Jeſuits he was drawn over to them, that he is not in Orders, he knows that

Sir

Sir *Edmondbury Godfrey* was Murthered in *Sommerſet-houſe* on the *Saturday* by *Charles Walſh* and *Lee phaire* Jeſuits, and two Lay-men, one a Gentleman that waits on the Lord *Bellaſis*, the other an underwaiter in the Queens Chappel, that he ſaw the Body of Sir *Edmondbury Godfrey* after he was Murthered before he was carried out, and *Le phaire* told him he was Stifled between two Pillows: *And he was offered Two Thouſand Guinneys to be one of the three to carry out the Body*, which was kept either in the Room or the next where the Duke of *Albemarle* lay in State, that the Chair-men who carryed out the Body on *Monday* at night at Nine of the Clock, are Retainers to *Sommerſet houſe*, but he knows them not, he ſaith that *Walſh*, *Le phaire* and *Pritchard* told him that the Lord *Bellaſis* imployed them in this buſineſs, he ſaith further that *Walſh* and *Le phaire* informed him that the Lord *Bellaſis* had a Commiſſion to Command Forces in the North, the Earl of *Powis* in *South-wales*, and the Lord *Arundel* of *Warder* had a Commiſſion from the Pope to grant Commiſſions to whom he pleaſed, that *Coleman* had been a great Agitator in the deſign againſt the King, and that he asking the Jeſuits why they had not formerly told him what they had deſigned concerning the Kings Death, they anſwered him that none but whom the Lord *Bellaſis* gave directions for were to know of it, he deſired he might have time to put the whole Narrative in writing (which he had begun) and being asked if he knew *Titus Oates*, he denyed it.

Hereupon, it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Gerard *of* Brandon, *and the Lord* Butler *of* Moor Park *go immediatly to* Sommerſet-houſe, *and make ſtrict ſearch there in all the Rooms for Armes and Papers, and for* Charles Walſh *and* Le phaire *and other ſuſpitious Perſons, but in the Queens Cloſet Cabinet and Council Chamber they are not to remove Papers nor Writings, only to ſeal up thoſe that are in the Council Chamber. And that a Guard be ſet on the Houſe of Mr.* Choquee, *and at the* Savoy *both at the Water-gate and upper gates thereof till his Houſe be Searched, and that he be preſently apprehended, and that the Gentleman Uſher of the Black Rod attend their Lordſhips in this ſervice.*

The Earl of *Clarendon* was appointed by this Houſe to wait on Her Majeſty, to acquaint her what directions this Houſe hath given for the Searching of *Sommerſet houſe.*

Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lord *Gerard* of *Brandon*, and Lord *Butler* of *Moor Park*, ſhall in the ſearch they are now in at *Sommerſet-houſe*, ſearch for and ſeize *Prichard* a Jeſuit

of

of whom the Lords have Information that he is there.

The Lord Biſhop of *Rocheſter* Reported, that the Committee for Examining of Papers have had Sir *Robert Walſh* before them this Morning, and having peruſed his Papers and Examined him, the Committee cannot find he is any way guilty of the deſign againſt His Majeſty, therefore the Committee are of opinion that his Papers be returned to him, excepting a very few that are fit to be retained concerning other Perſons, which may be made uſe of as occaſion ſhall require, and that they find no cauſe to keep Sir *Robert Walſh* in longer reſtraint.

His Lordſhip further Reported, that the Committee have had account of Papers of *Whitebread* and *Micho*, and have delivered them to Sir *Philip Loyd* cauſing a Liſt of them to be entred into the Clerks Book of the Committee.

Upon Report made by the Lord Biſhop of *Rocheſter* from the Lords Committees appointed to Examine Papers concerning the horrid deſign againſt His Majeſties Perſon, that upon peruſal of the Papers of Sir *Robert Walſh*, ſeized and brought before them by Order of this Houſe, they find not any cauſe of detaining Sir *Robert Walſh* any longer in Cuſtody, although they think fit to keep ſome of his Papers for the ſervice of the Houſe, it is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that the ſaid Sir *Robert Walſh* be, and is hereby diſcharged from any further reſtraint concerning this matter.

Upon reading the Petition of *Nathaniel Thompſon* Printer now Priſoner in the *Gate-houſe*, praying that he may have his liberty, and be brought before this Houſe where he will give the true reaſon why ſo many Popiſh Books are Printed, and ſhew the means how to prevent it, it is Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that the ſaid *Nathaniel Thompſon* be brought with his Keeper before the Lords Committees, appointed to Examine Papers concerning the horrid deſign againſt His Majeſties Perſon, at ſuch time as their Lordſhips ſhall appoint to hear him (and receive in writing) what he propoſeth in his Petition and make report thereof to the Houſe.

Ordered, *by the Lords Spiritual and Temporal in Parliament aſſembled, that the Lord* Petre *now cloſe Priſoner in the* Tower *for Treaſon, by Order of this Houſe ſhall henceforth have ſuch liberty within the ſaid* Tower *for his health as other Priſoners in the* Tower *have, till further Order, and this ſhall be a ſufficient Warrant on that behalf.*

Ordered, by the Lords Spiritual and Temporal in Parliament

ment Aſſembled, that the Lords with white Staves do attend His Majeſty from this Houſe humbly to deſire him, that His Majeſty will be pleaſed to give Order that *John Lambert*, now a priſoner may be examined upon ſuch maatters relating to the Diſcovery of the Plot as His Majeſty ſhall think fit, and perticularly as to any Commiſſion by him received from the Pope or his Authority,

Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Arms attending this Houſe or his Deputy or Deputies do forthwith attach the Bodies of all ſuch Perſons as are Men Servants to the Lord Bellaſis *where ever they can find them, and bring them in ſafe Cuſtody to the Bar of this Houſe to anſwer ſuch matters as ſhal be there Objected againſt them, and this ſhal be a ſufficient Warrant on that behalf.*

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty humbly to deſire him from thi- Houſe, that the *Letters* of Mr. *Coleman* of the 29*th.* of *September* 1675. to father *Le Cheſe*, and another of his to father *Le Cheſe*, wherein he owns the ſending of the ſaid *Letter*, and Monſieur *Le Cheſes Letter*, whereby he owns the receipt thereof, which have not been read in this Houſe, may by His Majeſties Order be brought hither, and His Majeſty will be pleaſed to give Order, that the Tryal of the Lords, and other Priſoners for Treaſon may be expedited; and that in the mean time the Lord *Bellaſis* may be a cloſe Priſoner.

The Lords Spiritual and Temporal in Parliament Aſſembled do declare, that *Iſabella Marchioneſſe* Dowager of *Wincheſter*, as ſhe is a Peereſs of this Realm, and thereby ought to enjoy priviledge of Parliament, is not to be comprehended within the penalties enjoyned by the Proclamation for baniſhing *Papiſts* from *London* and *Weſtminſter*.

Die Veneris Octavo Novembris 1678. *Poſt Meridiem.*

THe Earl of *Clarendon* Reported, that he hath waited on Her Majeſty to acquaint Her with what this Houſe Ordered in the Morning concerning the ſearching of *Sommerſet-Houſe*, which Her Majeſty takes as a reſpect, and delivered

to

to his Lordſhip the Keys of Her Cloſet at *Sommerſet-Houſe*, which his Lordſhip delivered to the Lord *Butler*, who having Viewed Her Majeſties Lodgings returned them to Her Majeſty again.

Ordered, that the Houſe be put into a Committee to morrow Morning to conſider the Bill, for the more effectual preſervation of His Majeſties perſon, to be the firſt Buſineſs and nothing to intervene.

Sir *George Charnocke* Sergeant at Arms, acquainted the Houſe, that he had apprehended ſome Servants of the Lord *Bellaſis*, and had ſent to ſearch for more at his houſe in the Country.

Then Edmond Bedford *the Cook*, *and* Richard Midgley *the Porter*, *were brought to the Bar and asked ſeveral queſtions, but the Houſe finding they could ſay nothing material diſmiſſed them at the Bar, but Mr.* Dent *Servant to the Lord* Bellaſis *to be examined at the Committee for the Diſcovery of the Murther of Sir* Edmond-Bury Godfrey.

Die Sabbati Nono Novembris 1678.

HIs Majeſty ſitting in His Royal Throne adorned with His Royal Crown and Ornaments (the Peers being likewiſe in their Robes) gave command to the Gentleman Uſher of the Black Rod to let the Houſe of Commons know, that it is His Majeſties pleaſure they attend him preſently, the Commons being come with their Speaker, was pleaſed to make this Gratious Speech following.

My Lords and Gentlemen.

I am ſo very ſenſible of the great and extraordinary care you have already taken, and ſhall continue to ſhew for the ſafety and preſervation of my perſon in theſe times of danger, that I could not ſatisfy my ſelf, without coming hither on purpoſe to give you all my moſt hearty thanks for it &c.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white ſtaves do attend His Majeſty humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order that His moſt Gratious Speech

Speech made this day to both Houſes of Parliament, in the Houſe of Peers may be printed and publiſhed.

The Lord *Treaſurer* Reported, that the Lords with white ſtaves have attended His Majeſty with four Addreſſes from this Houſe.

The firſt concerning ſome Letters of Mr. Colemans *to Mr.* Le-Chele *and his Anſwer, which His Majeſty will give Order, ſhall be brought to this Houſe ſo ſoon as may be.*

Alſo to deſire in the ſame Addreſs concerning the Lord *Bellaſis*, His Majeſty hath given Order that he ſhall be cloſe Priſoner, as alſo concerning the expediting the Trial of the Lords and other Priſoners for Treaſon, His Majeſties anſwer is that as ſoon as the papers to make out the Evidence, which are now in the Houſe of Commons can be had and methodized the Tryals ſhall be expedited.

To the ſecond Addreſs concerning John Lambert, *His Majeſty hath given Order for it.*

To the third Addreſs concerning a Royal Pardon to Titus Oates *His Majeſty hath given directions for it.*

To the fourth Addreſs concerning the inſecurity of the Tower *His Majeſty intends to ſend directions this day about it.*

The Lord *Gerard* and the Lord *Butler* Reported, that according to the Order of this Houſe they have ſearched all the Roomes in *Sommerſet-Houſe* and find no Jeſuites, nor other ſuſpitious Perſons nor any Arms excepting a Caſe or two of Piſtols, which belong to Sir *John Arundel* and Mr. *Bernard Howard*.

That they had ſeized ſome papers, which they had put into the Guard Chamber.

That in ſearching Mr *Choquees Houſe* they have found ſeveral Cheſts of Cartrages with ſome powder belonging to them, which are put into the hands of Captain *Copley*, who being called in gave the Houſe an acconnt of three Cheſts of Cartrages loaden with powder of ſeveral ſorts, which are uſed in Fire-works or Solemnities.

Choquee was called in and confeſſed he had in his houſe ſome Fire-works of his own making, ſome whereof he had layn by him about Eighteen years, which he deſigned to ſell when there were ſhew of Fire-works at any ſolemnity: and he had hope His Majeſty would have bought them of him, he further ſaith, that about a Month ago a Conſtable ſearching his houſe did ſee them, and knowing for what uſe he kept them did let them alone, and that the Lord *Craven* knew he had ſuch in his houſe, and ſo did ſeveral other Lords of this Houſe know he had theſe Fire-works to be uſed upon days of ſolemnity.

Upon

Upon which the Houſe diſcharged Captain *Copley* and Monſieur *Choquet* from any further attendance concerning this Matter.

A Meſſage was brought from the Houſe of Commons by Mr. Solliciter and others to acquaint their Lordſhips, that the Houſe of Commons had prepared an Addreſs to be preſented to His Majeſty, to which they deſired their Lordſhips concurrence.

The ſaid Addreſs was Read,

The Houſe being made acquainted, that *Thomas Bedingfield* one of the perſons named in the ſaid Addreſs hath Rendred himſelf, the Houſe Omitted him and Added the names of *Le-Fair*, *Charls Walſh* and *Pritchard*.

Then the Addreſs was Read again with the Addition and Amendment, and was agreed to.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that Sir *John Gage*, and Sir *William Goreing* now cloſe Priſoners in the *Tower*, may for their health take enjoy the liberty of the *Tower*, as other Priſoners uſually have there.

A Meſſage was ſent to the Houſe of Commons by Sir *Andrew Hacket* and Sir *Samuel Clerk*, to return the Addreſs intended to be preſented to His Majeſty, and to let them know that the Lords agree to the Addreſs with the Alterations and additions, and deſire Concurrence thereunto.

A Meſſage was brought from the Houſe of Commons by Sir *Joſeph Tredenham* and others, to let their Lordſhips know that the Commons agree to the amendment and alterations, made by their Lordſhips in the Addreſs.

The Tenor of which Addreſs is as followeth.

Your Majeſties moſt loyal and dutiful Subjects, the Lords Spiritual and Temporal and Commons in Parliament aſſembled, do humbly beſeech your moſt Sacred Majeſty to iſſue out your Royal Proclamation, that certain Perſons called George Conyers, Symonds, Charles Walſh, Le phaire Prichard *and* John Cattaway, *who ſtand charged as Perſons guilty of the Damnable and Helliſh Plot for the deſtruction*.

The Houſe was adjourned into a Committee, to take into Conſideration a Bill for the more effectual preſervation of His Majeſties Perſon, the Houſe being reſumed, the Earl of *Bridgewater*

Bridgewater Reported, that the Committee had ſpent much time in the debate of the firſt enacting clauſe of this Bill, and had not concluded any thing upon it, therefore deſire another day, and the Houſe appointed *Monday* Morning next, for the continuing this debate concerning the firſt clauſe.

A Meſſage was brought from the Houſe of Commons by Mr. *Walter* and others, to deſire a conference concerning the not iſſuing out Commiſſions in purſuance of the Proclamation againſt the *Papiſts*.

The Anſwer returned was, that this Houſe will give a conference as is deſired, and appoints the ſame to be on Monday *Morning in the Painted Chamber at Ten of the Clock.*

Die Lunæ Undecimo Novembris 1678.

THe Lord Chancellor deſired their Lordſhips directions, concerning the iſſuing out of the Commiſſions to Juſtices of the Peace, for adminiſtring the Oathes unto *Papiſts* in purſuance to the Proclamation, to that end (he ſaid) he had cauſed to be prepared Six Commiſſions in general Terms, and Six Commiſſions with the limitations directed by this Houſe, the ſeveral forms of the Commiſſions being read and conſidered of, the Houſe directed the Lord Chancellor to ſeal the General Commiſſions without the limitations, they being moſt agreeable to Law, hereupon the Lord Chancellor withdrew and ſealed the General Commiſſions accordingly.

The Lord Chancellor acquainted this Houſe that His Majeſty hath been informed by an Officer of the Guards, that *William Bedloe* hath ſomewhat to inform their Lordſhips of very great importance, hereupon the Houſe was willing to hear him.

The ſaid William Bedloe *was called in and heard, what he could ſay concerning the further Diſcovery of the Horrid Deſign againſt His Majeſties Perſon, and after he had been heard, It is Ordered, that the ſaid* William Bedloe *ſhall attend the Lords Committees, appointed to Examine Witneſſes concerning the Murther of Sir* Edmondbury Godfrey, *whoſe Lordſhips are to Examine him, and receive from him ſuch further additions as he ſhall give under his hand to his former Examinations, and make Reports thereof to the Houſe.*

Lords Committees appointed to inſpect the Cartrages which

which were found in Monſieur *Choquets* houſe in the *Savoy*, and to be ſatisfyed of the numbers of them, and to try them whether they are adopted only for Fireworks, or may be uſed to dangerous deſigns, and have power to ſend for what Perſons they think fit, to give them the beſt information concerning them or the nature of them.

The Lord Treaſurer Reported, that the Lords with white Staves have waited on His Majeſty, to know what time His Majeſty will pleaſe to appoint for both Houſes to wait upon him, to preſent the humble Addreſs of both Houſes for iſſuing out a Proclamation, for apprehending ſeveral Prieſts and Jeſuits, and His Majeſty hath appointed this Afternoon at three of the Clock in the Banqueting Houſe at *Whitehall* for that purpoſe.

The Lord Chancellor acquainted the Houſe, that His Majeſty hath delivered to him thoſe Papers which their Lordſhips deſired in their Addreſs might be communicated to them.

1. *Mr.* Colemans *Letter to Monſieur* Le Cheeſe *Confeſſor to the* French *King dated 29th.* September 1675.

2. *Another Letter of* Colemans *to* Le Cheeſe, *written immediatly after that of the 29th. of* September 1675.

3. *A Letter of* Le Cheeſe *of the three and Twentieth of* October 1675. *acknowledging the receipt of* Colemans *long Letter.*

Theſe Letters were read.

And after a long debate concerning the agreeing with the Houſe of Commons in the Addreſs to His Majeſty, for the Printing of theſe *Letters*, the Queſtion being put, it was reſolved in the Negative.

A Meſſage was brought from the Houſe of Commons by Serjeant *Maynard* and others, to put their Lordſhips in mind of the Bill for the more Effectual preſervation of the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament; which they conceive is ſo effectual for the good of the Kingdom.

The Houſe of Peers being ſatisfied by a Report made from the Committee before whom *William Bedloe* was Examined, that *Thomas Pleſſington* a Servant of the Lord *Bellaſis* now a Priſoner in the *Gate-houſe*, being brought Face to Face with *William Bedloe* before their Lordſhips, he declared that the ſaid *Thomas Pleſſington* was not one of the Perſons that Murthered Sir *Edmondbury Godfrey*, It is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that

that the Lords with white Staves do attend His Majesty, humbly to desire him from this House, that His Majesty will be gratiously pleased to give Order for the discharge of the said *Thomas Plessington*, from the restraint he is under upon this account.

Die Martis Duodecimo Novembris 1678.

THe Lord *Marquess of* Winton. *Reported, that the Committee appointed to take Examinations for the Discovery of the Murther of* Sir Edmondbury Godfrey, *have spent many days therein, and do present the House two Examinations of Mr.* William Bedloe, *and some Examinations of several other Persons.*

His Lordship said, that the Lords Committees did conjure *William Bedloe* to speak nothing but truth, and he did in the presence of God as he should answer it at the Day of Judgment, assure all to be true he had deposed.

The Lords caused him after he had distinctly read every sheet to set his hand to every sheet, and the Lords are of Opinion that he hath been very careful and exact in his Testimony, in not accusing any one further then he had perfect memory of, and of what he knows of his knowledge or from the mouthes of others.

The Lords have many other Examinations concerning the Death of Sir *Edmondbury Godfrey* not yet perfected, and therefore they think fit yet to keep them private, when perfected will make Report of them to your Lordships.

This Report only relates to *William Bedloes* Testimony, and some others I have taken upon Oaths, a Justice of Peace to confirm his Testimony.

Mr. William Bedloe *saith he hath sent for a Person to Town, who when he comes will be able to give an account of the truth of several particulars, which he hath sworn to.*

Then the Examinations taken *November* the Eighth 1678, at the Committee of Lords for enquiring into the Murther of Sir *Edmondbury Godfrey* were read as followeth.

William Bedloe being sworn in the Lords House was called in and Examined, saith on his Oath that this Examinant being treated with by Mr. *Le Phaire* and Mr. *Walsh* Jesuits, about the beginning of *October* last. *they offered him a reward of four*

Thousand Pounds, if he would be one of the Four or Six that should kill a Man that was a great obstacle of their design. He this Deponent promised to be one to do it upon their giving him notice, afterwards (*viz.* the *Fryday* before Sir *Edmondbury Godfrey* was missing) Mr. *Le Phaire* met him this Deponent about Four of the Clock in *Grays-Inn-walks*, and appointed to meet him again in the same place about Four of the Clock the next day to do that business, that upon taking the Sacrament to do it, he this Deponent should have the Money paid to himself or to any Friend he should name, but he this Deponent not liking the design failed of meeting him; the next Night after being *Sunday* he met Mr. *Le Phaire* again by accident in *Fleet-street*, going into *Red lyon Court* about Five of the Clock, Mr. *Le Phaire* then desired him not to fail of meeting him the next Night (being *Monday*) about the same hour at the *Palsgrave Head Tavern*, that he might imploy this Deponent in some other special business, but this Deponent came rarer than the time appointed and so failed to meet him, but left word at the Bar of that Tavern that he would meet him at Eight of the Clock in the Cloister of *Sommerset-house Court*, and accordingly betwixt Eight and Nine of the Clock, this Deponent came thither and found *Le Phaire* walking there, who said he had staid almost an hour for him. *They past the time there about half an hour,* Le Phaire *telling him how much the Church of* Rome *and the Pope were obliged to him, and what rewards he should have for his secrecy and fidelity to them.*

Afterwards he desired him this Deponent to walk into the midst of the Court, where he the said *Le Phaire* might say something to this Deponent, and no Body over hear it, and there he told this Deponent that the Person who he was to Kill was Killed, and that his Body then lay in *Sommerset-house*, and that he did believe that the excuse which this Deponent had made him before for not coming to the Murthering of him was real, and that he knew his fidelity was such, that he should have half the Reward, if he would help to carry the Body to a place where they had chose to lay him.

This Deponent asked to know first, who were to be the Persons that were to go with him, *Le Phaire* told him they were himself, Mr. *Walsh* the Lord *Bellasis* Gentleman, Mr. *Atkins* (*Pepis* Clerk) and one that he hath often seen in the Queens Chappel, and did believe to be one that belonged to the Chappel. *Then* Le Phaire *brought this Deponent by the Hand in the dark through the Entry into that Room which he shewed the Duke of* Monmouth, *and knocked softly with his Finger at the Door, and when it was opened* Le Phaire *led this Deponent into it which was dark,* Le Phaire *then pulled a dark Lanthorn from under his Coat*

and

and shewed a small light in the Rome, where this Deponent saw the Persons before named, of whom this Deponent knew Le Phaire, *Mr.* Walsh *and the other Person he saw often in the Chappel, and the other two owned themselves the one to be the Lord* Bellasis *Servant, and the other to be Mr.* Atkins (*Peps Clerk*).

And this Deponent saith, that they did agree to carry the Body in a Chair to the corner of *Clarendon* house, and there to put him in a Coach to carry him to the place where he was found, having concluded this they agreed to carry him off at Eleven of the Clock the same night, then some of them turning about they throwed off a Cloak that lay upon him, and shewed this Deponent the Body. This Deponent asked them who it was, they told him it was an old man that belonged to a Person of Quality, who had taken some Examinations tending to the Discovery of their design, this Deponent asked them further, why it was not more proper to Kill the Person of Quality himself, they answered no, for this man had the Examinations in his own Custody, and that their design of getting him thither, was to get him to send for them by fair means or fowl, and then they did not question but the next Examination would be so contrary to that, it would appear upon their Tryals two several Stories, and when they should be brought to Tryal upon the latter Examination, they would produce the former to contradict it, that it might seem partiality to the World, upon which reasons the Deponent seemed satisfied, and asked them where they Killed him, they told him at *Sommerset house*.

Then this Deponent begged their pardon for half an hour and he would wait on them again, but this Deponent went away and came no more, but the next day about Eleven of the Clock this Deponent met *Le Phaire* by accident crossing *Lincolns-Inn Fields*, and then they went together unto the *Greyhound* Tavern in *Fleet-street*, Le Phaire (*putting his Cane up to his Nose*) *said he had something to say to him*, Le Phaire *there charged this Deponent for not coming the last Night according to his promise, this Deponent told him he was unwilling to come because he knew the Person*. Le Phaire *asked him then who it was, this Deponent told him it was Justice* Godfrey, Le Phaire *then acknowledged it was so, and he was willing to dispense with this Deponents not coming, if he would assure him of his Fidelity*.

This Deponent then asked *Le Phaire* how they got him thither and where they found him, *Le Phaire* told him that himself, *Walsh* and the Lord *Bellasis* Gentleman met him by the *Kings head Inn* in the *Strand*, crossing the street about Five of the Clock, and told him that if he would please to go with

them ſo far as *Strand bridge*, they would bring him to a place near St. *Clements Church*, where there were a Company met, principal Plotters of that deſign againſt the King, and there (if he would go preſently he might take them and the principal of their Papers, he anſwered that he thought it not convenient to go himſelf, but he would ſend his Warrant and the Conſtable, they told him if he did make ſo much delay they might be gone, and that if he would walk up ſo far as *Strand bridge*, one of them would go and call a Conſtable to him there, and he might give his Order preſently, whereupon he walked with them ſo far as *Sommerſet-houſe*, and there they made a halt, then told him it would be leſs obſerved if he walked in *Sommerſet-houſe* then to ſtand in the ſtreet, and thereupon two of them walked in with him, and the other pretended to go call a Conſtable, and when they had walked a turn or two in the Court, two more perſons came forth and ſhoved him into a Room, and when they had him ſecure there, they held a Piſtol to him, threatning if he made a noiſe they would ſhoot him, but if he would anſwer their Expectations they would do him no harm. Then they asked him to ſend for thoſe Examinations he had taken about thoſe that were committed, he anſwered they were not in his power for he had ſent them to *Whitehall*, upon that and his refuſing to anſwer other queſtions they ſeized him and ſtifled him with a pillow, and ſo they thought he had been dead but coming into the Room ſometime after they found him ſtrugling, and then they ſtrangled him with a long Cravat, (which Cravat the Deponent ſaw the *Monday* at Night about his neck) then this Deponent asked *Le Phaire* why they carryed him into the Fields, and what they deſigned by it, he anſwered that they had made a Wound in his Body and laid his ſword by him that it ſhould ſeem he had Killed himſelf, and that they did not queſtion that the diſcovery of Killing him would ever have been made, neither did they doubt but their deſign would have its effect, then *Le phaire* told this Deponent that as he would be anſwerable to Chriſt Jeſus at the laſt day, he ſhould be faithful to the cauſe and ſo they parted.

The ſame time Mr. *Atkins* being called in before Mr. *Bedloe*, Mr. *Bedloe* ſaith that he is in all things very like the Perſon he ſaw in the Room with Sir *Edmondbury Godfries* dead Body, and he doth verily believe it was him that owned himſelf to be *Pepis* his Clerk, but becauſe he never ſaw him before that time he cannot poſitively ſwear it, but he doth verily believe him to be that man.

The

The further Examinations of *William Bedloe* being ſworn at the Bar.

The Lady *Abbis* of the *Engliſh Nuns* in *Dunkirk*, ſent me to St. *Omers* with a Letter to Sir *John Warner* and the other Jeſuits, which Letter I opened and found in it I was recommended (a man wholly fit to be imployed in the deſign) then thoſe Jeſuits ſent me to *Antwerp* to Father *Worſley*, to be informed by degrees of the part I was to have in it, when he had as he thought confirmed me to ſecreſie, he ſent me to *Doway* with a Letter in a Language I did not know, where the *Monks* after ſeveral ways fifting me declared to me, *that now was a deſign in hand to make* England *happy both to Body and Soul, and that being juſt to the cauſe, I ſhould not only enjoy infallibly Heaven, but raiſe my ſelf and my Family to a fortune equal to what I ſhould expect, if I continued faithful to the end.* Then they ſent me to *England* to Father *Hartcourt* a Jeſuit lodging in *Duke-ſtreet* with a Letter in Latin, after they had given me the Sacrament Four times upon the charge of ſecreſie, when I came to *London* I was provided for by Mr. *Hartcourt*, what he imployed me in was to fetch and bring poſt *Letters*, which I did in abundance for Four Moneths time, then he ſent me to *Paris*, I being ſent for by the *Monks* there, who immediatly ſent me again for *England* with a very great Pacquet of *Letters*, and directed to Mr. *Vaughan* of *Courtfield* in *Monmouth-ſhire*, the reſt that were incloſed were to Mr. *Vaughan* of *Upper Roſe*, to Mr. *Milborn* of *Monmouth*, to Mr. *Fames* near *Monmouth*, to Mr. *Charles Winter*, and to Mr. *Charles Price*, who is Steward to my Lord *Marqueſs* of *Worceſter*, their Order was as Mr. *Vaughan* told me to conſult with ſome others, and to ſend their reſult over by Mr. *Pritchard*, that at *Rome* and all places beyond the Seas the buſineſs went on very well, as they did not queſtion but that it did aſwel in *England* and *Ireland*, after Mr. *Vaughan* had told me this, I came for *London* where I ſtaid conferring with Mr. *Hartcourt*, Mr. *Le Phaire* and other Jeſuits till Winter was over, *then they ſent me to St.* Omers, *from thence to* Doway, *where Mr.* Gage *the Rector of the Engliſh Colledge, there told me after he had confirmed what great rewards were deſigned for me, and how much I had merited from Chriſt and the Bleſſed Virgin, that in a Year or ſomething more they did not at all queſtion but to be eſtabliſhed at Chriſt Church Colledge in* Oxford, *and to ſee* England *flourish in the true Religion of* Rome. Then I demanded what they would do with the King, he anſwered they would keep him well in a Con-

vent, then I demanded who ſhould govern in Chief, then he told me there ſhould be a tender made to one of the Crown, if he would acknowledg it from the Church, but they did believe he would not accept it, and then the Government ſhould be left to ſome Lords that the Pope would appoint, which Lords names he would not tell me but ſaid I ſhould know it from the *Monks* at *Paris*, when I came there they ſent me to *Spain*, with *Letters* to the Rector of the Colledge of *Irish* Jeſuits at St. *Jagoe*, and they ſent me with a *Letter* to be given to Mr. *Harcourt* in Characters, ſince which time I have been in *England*, and from *Le Phaire* and *Walsh*, *Pritchard* and *Lewis*, I have underſtood that the Lords who were to govern, were my Lord *Arundel* of *Warder* as Chief, my Lord *Bellaſis* as General with Mr. *Thimbleby* of *Ernham* with ſeveral others, whereof Sir *Ratcliffe* was one was to command in the North, and to receive from *Flanders* ten thouſand Men to be landed at *Bradlington Bay*, and the firſt thing they deſigned was by a correſpondency they had in *Hull* to ſurpriſe that Gariſon, and that my Lord *Powis* joyned with my Lord *Petre*, Mr. *Vaughan* of *Upper roſe*, Mr. *Charles Winter*, Mr. *Charles Milborn* of *Monmouth*, and Chancellor *James* near *Monmouth*, were to meet at a certain place in *Radnorshire* in *Southwales* with another Army, and to march to *Pembrook-shire* to meet with Twenty or Thirty Thouſand Men, who were to land at *Milford haven* from the Groin in *Spain*, which Army was to be Religious Men and Pilgrims from St. *Jagoe* in *Spain*. Upon this deſign being juſt ready to be put in Execution the deſign againſt the Kings Perſon was diſcovered, when immediatly comes Mr. *Le Phaire* to me, and made me take the Sacrament with a great Benediction to continue ſecret to the cauſe. *Then I demanded of him and Mr.* Lewis *another Jeſuit, why they did conceal the deſign againſt the King from me, and they both anſwered me it was my Lord* Bellaſis *Order, that none ſhould know it but thoſe that were to be the Actors in it.* Then I asked of them how and where it was to be done, they ſaid it was deſigned ſeveral ways, and at ſeveral times, but the certain way they pitched upon was in his Morning walks at *New Market*, and that Mr. *Conyers* had taken it upon him to do it, and Mr. *Keines* to Kill the Duke of *Monmouth*, *Pritchard* the Duke of *Buckingham*, Mr. *Knight* my Lord *Shaftesbury*, Mr *Oneale* my Lord *Oſſery*, and one whoſe name I have forgotten the Duke of *Ormond*; and when theſe perſons were Killed they did not queſtion the power of the reſt or their Councels, but that they ſhou'd ou- do them, for they would give ſuch great pay that all ſorts of Male contents, and People that depended on their

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fortune would be ready to ſerve them; but whatever ſhould happen, their power as they had laid it would be ſufficient, *for they had Forty thouſand men ready in* London, *beſides thoſe that would on the Alarum be poſted at every Ale-houſe door, to have killed the Soldiers as they came out of their Quarters.* Then I asked them where they were provided with Money to anſwer all this, they ſaid that my Lord *Stafford*, and Mr. *Coleman*, and *Ireland* had money enough to go through all this, and that ſeveral Gentlemen in *England* had great ſumms to contribute to it, then I asked them what place they would ſecure in the Weſt, they told me the Caſtle of *Chepſtow* was to be deliverd up to Mr. *Charles Winter*, by the Governor Captain *Spalding*, and my Lord of *Worceſters* Steward Mr. *Charles Price*, then I told them I did believe that my Lord of *Worceſter*, and the Earl of *Shrewsbury*, and the Duke of *Norfolk* had a great part in this deſign; they told me no, for they durſt never attempt to diſcover it to either of them, and to many more they could wiſh to favor them, and that Mr. *Charles Price* had told them they ſhould never attempt my Lord of *Worceſter*, for he knew it would be impoſſible to bring him to it, but that they would be diſcovered if he knew it, then I asked him why they gave ſuch great credit to Mr. *Price*, they ſaid becauſe he had been one of the principal Perſons in contriving the deſign, and one whoſe Wiſe Councels was the moſt obſerved in *England*. I anſwered I thought him a man fitter indeed for a Councellor than a Soldier, they ſaid it would not appear ſo if I knew what good and ingenious Arms he had preſented all the Lords concerned with, but that his own Councel was what they had builded much upon, and they thought him one of the wiſeſt men in Orders in the World.

After this diſcourſe we parted, and about two days after I met Mr. *Le Phaire*, who told me I ſhould receive the reward of Four Thouſand pound being one as would Murther a man, and that it was my Lord *Bellaſis* Order for what ever they had employed me in, aſwel in all other matters as in this, and more they have always told me, that when their deſign was to be begun, we ſhould all receive our Commiſſions from my Lord *Bellaſis* with a benediction from the Pope annexed to it, and when I have often demanded of them how they would eſtabliſh the Government, they always anſwered ſecurely enough, for they did intend utterly to extinguiſh all ſorts of People, that would not really be converted to the Church of *Rome*, and to prove it, perſecute their neereſt Relations that were obſtinate, I have no more to ſay to what I can now remember, but then

was I ſolicited to murther, which account I have given in to the Committees of Lords.

And further, that I have been aſſured by Mr. *Le Phaire*, that Mr. *Conyers* who had undertaken to kill the King, is the Lord *Bellaſis* Confeſſor, and that Mr. *Le Phaire* hath often told me that Mr. *Le Phaire* juſt now came from my Lord *Bellaſis* with ſuch and ſuch Orders; and alſo that Mr. *Le Phaire* hath often told me, that when any perſon that was concerned in the *Plot* was impriſoned, that by one means or other, they would kill them before they ſhould come to their Tryals, though they burned the Priſons where they were in Cuſtody, and that *Gerneſey* and *Jerſey* were to be ſurprized by a power from *Breſt* and other places of *France*, and that ſeveral *French* Ships have lain in and about the Channel all this Summer upon the ſame occaſion. And further, Mr. *Le Phaire*, Mr. *Pritchard*, Mr. *Lewis*, Mr. *Kains*, and Mr. *Walſh* in *England*, and Mr. *Letham*, Mr. *Stapleton*, Mr. *Sheldon*, and Dr. *Gage* Rector of the *Engliſh* Colledge in *Doway*, and others have often told me that there was not a *Roman Catholick* in *England* of any Quality or Credit, but was acquainted with this Deſign of the *Papiſts*, and had received the Sacrament from their Father Confeſſors to be ſecret and aſſiſtant in the carrying of it on.

November the *9th* 1678. Captain *Hawley*, Enſign of the Kings Regiment of Foot-gards, being called in to the ſame Committee of Lords, and ſworn by the Lord Marqueſs of *Winchester*, as a Juſtice of the Peace; in the preſence of the ſaid Committee informed their Lordſhips, that he was upon the Guard at *Sommerſet-houſe* that *Saturday* that Sir *Edmondbury Godfry* was miſſing, and as he was walking with Mr. *Francis Ruſſel* in ſome Room wherein the State ſtands within the Guard-Chamber; two elderly men came to one *Dukes*, who was alſo in that Room, and immediately after Mr. *Dukes* came to this Deponent, and Mr. *Ruſſel*, and told them that they muſt withdraw, for that the Queen deſired to be private, and ſaith that this was about five of the Clock.

The Information of Henry Berry, *Porter of the Gate at* Sommerſet-houſe, *taken by the Right Honorable the Marqueſs of* Winton. *this* 11 *day of* November 1678. *as followeth*, viz.

That about the 12, 13, or 14. of *October* laſt, this Deponent had Orders to tell all perſons of Quality that came to the Gate, that the Queen deſired to be private, and that the Prince came to the Gate, but could not be admitted, and

this

this Deponent ſaith, that the Queen continued ſo private for two days.

The Informations of Mrs. *Diana Salvin*, and Mrs. *Elizabeth Salvin* taken as aboveſaid, who being ſworn, ſay, that they do both know Mr. *Le Phaire*, and Mr. *Walſh*, and have ſeen them with Mr. *Bedloe* at their houſe, and that Mr. *Walſh* hath twice ſaid Maſs at their houſe, when Mr. *Bedloe* hath been preſent, and that Mr. *Bedloe* did acquaint them of Ten pound which Mr. *Le Phaire* lent unto Mrs. *Hern* of *Eſſex-ſtreet*.

John Saunders being ſworn and examined by the Right Honorable the Lord Marqueſs of *Winton*, one of the Juſtices of the Peace for the County of *Middleſex*, ſaith, that this Deponent hath ſeen Mr. *Le Phaire* in company with Mr. *Bedloe*, and that he was bound with Mrs. *Hern* unto a *Shoomaker* for Ten pound, which money Mr. *Le Phaire* brought, and took the Bond in the *Shoomakers* name, and Mr. *Le Phaire* was a witneſs unto the ſame Bond together with Mr. *Bedloe*.

The Information of *Alexander Oldis*, taken the 12. of *November*, 1678. before the Right Honorable the Marqueſs of *Winchester*, one of His Majeſties Juſtices of the Peace for the County of *Middleſex*; he ſaith, that he in the company of *William Bedloe*, about Six Weeks ſince did hear Maſs ſaid in the houſe of Mr. *Salvin* in *Eſſex* Buildings, by a middle ſized man, with *Pockholes* in his Face, he wears a *Perriwig* which he put off when he put on his Veſtments to ſay Maſs, he knoweth not his name.

The Examination of *Charles Atkins* Eſquire, taken upon Oath before me one of His Majeſties Juſtices of the Peace for the County of *Middleſex*, and Liberty of *Weſtminſter*, this Firſt of *November* 1678.

Saith, that in *Derby* houſe being in diſcourſe with *Samuel Atkins* (Clerk to Mr. *Pepis* Secretary of the Admiralty) the ſaid *Samuel* did ſay, that Sir *Edmondbury Godfrey* had very much villified his Maſter, and that if he lived long, would be the ruin of him; upon which the ſaid *Samuel* did ask this Examinant, whether he did think *Childe* to be a man of Courage and Secreſie, to which this Examinant replied, that the ſaid *Childe* had been at *Sea*, and had behaved himſelf very well as he had been informed; upon which the ſaid *Samuel* did bid this Examinant ſend the ſaid *Childe* to his Maſter Mr. *Pepis*, but not to him the ſaid *Samuel*, for that he would not be ſeen to know any thing of it. This Examinant did endeavour to find out the ſaid *Childe*, but did not meet with

with him till the day after (this diſcourſe had happened betwixt him and *Samuel Aikins*) at the three *Tobacco Pipes* in *Holbourn*, where this Examinant did tell *Childe*, that Secretary *Pepis* would ſpeak with him, and the next time that this Examinant did ſee the ſaid *Childe* (after that he had given him that direction) he the ſaid *Childe* did endeavour to engage the ſaid Examinant to joyn with him in the murther of a man. The particulars of which this Examinant hath declared before the King and Council, *Wedneſday* laſt paſt.

Taken before me one of His Majeſties Juſtices of the Peace, for the County and Liberty above mentioned, *P. Howard.*

Ordered, *by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with the white Staves do wait on His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be graciouſly pleaſed to grant his general pardon to* Mr. Bedloe.

Ordered, *by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with the white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be graciouſly pleaſed to grant his Royal pardon to* Diana *and* Elizabeth Salvin, *who upon their Examinations have confeſſed (among other things) that they have been at Maſs, and that they the ſaid* Diana *and* Elizabeth Salvin, *being to be further examined as witneſſes, may be licenſed to ſtay in Town, they having behaved themſelves very well before the Lords Commitees, who have examined them.*

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Armes attending this Houſe, his Deputy or Deputies ſhall forthwith attach the Bodies of Mr. *Charles Price*, Mr. *Vaughan* of *Upper Roſe*, Mr. *Vaughan* of *Court-field*, Mr. *Thimbleby* of *Ernham*, Captain *Spalding* Deputy Governour of *Chepſtow*, Mr. *Charles Milborn* of *Monmouth*, Councellor *James* near *Monmouth*, and Mr. *Charles Winter*, and bring them in ſafe Cuſtody to the Barr of this Houſe, to anſwer ſuch matters as ſhall there be objected againſt them on His Majeſties behalf, and this ſhall be a ſufficient Warrant on that behalf.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do wait on His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to direct, that the Tryal of *Samuel*

muel Atkins, Mr. *Childe*, and *Edward Coleman* may be expedited.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. *Colemans* Letters, and Mr. *Le Chefe* Letters communicated to this Houſe by His Majeſty, may be delivered to His Majeſties Attorney General, in order to the forming his progreſs, and preparing his evidence againſt the Priſoners to be tryed for Treaſon.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with the white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that Mr. *Biſton* late Servant to the Lady *Bellaſis*, deſcribed to wear a black *Perriwig*, and black *Whiskers*, round Faced, pretty plump in Body, of middle Stature, may be added to the perſons to be Summoned by His Majeſties Royal Proclamation, for which both Houſes preſented their humble Addreſs to His Majeſty.

Upon Information given to this Houſe, that there hath been an attempt made by ſome perſons to blow up or burn Sir *George Wakemans* Stables. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Hay and other materials in the ſaid Stables and Hayloſts belonging to them, be forthwith removed, and a diligent ſearch made for what may be found there. And it is further Ordered, that the two next Juſtices of the Peace to the place, be, and are hereby required to ſee this Order Executed, and give a ſpeedy account thereof to this Houſe.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. *William Snow*, and Mr. *James Noble*, go with all convenient ſpeed, and cauſe a Brick or Stone Pavement lately laid in ſome part of Mr. *Edward Colemans* houſe to be taken up, and ſearch made what they can find there; and if there be any Papers or Writings, that they Seal them up, and bring them away with them to be brought before this Houſe. And that they require the Aſſiſtance of His Majeſties Workmen, Maſons, or Bricklayers to aſſiſt them in this Service, and one of the Clerks attending on this Houſe is to be preſent with them, and this ſhall be a ſufficient Warrant on that behalf.

The Lord Chancellour acquainted the Houſe, the Addreſs of both Houſes for Iſſuing out a Proclamation for ſummoning *Conyers* and others to render themſelves, was yeſterday preſented to His Majeſty, who received the ſame very graciouſly, and ſaid he would take it into his ſpeedy care.

Upon

Upon Information of William Sorocoale, *that he having found a Prieſt and other Papiſts in the ſame houſe in the City of* London, *and that he went to a Juſtice of the Peace for a Warrant, and he ordered him to go to my Lord Mayor, which he accordingly did, but his Lordſhip told him he would grant no ſuch Warrant, till he had ſummoned the parties before him.*

Then *Sibel Matthews* upon Oath made at the Bar, ſaid that ſhe living with Mr. *Vanderpeck*, lay one night at Mr. *Clouds* in *Broadſtreet*, where there was a Prieſt, and ſhe carrying a Note to Mr. *Cloud*, the Prieſt being in the houſe was deſired to read it, and ſhe ſcrupling at his reading of it, Mr. *Cloud* told her ſhe need not fear, for he would do righteous things, for he was a Prieſt, and that he lodged up two pair of Stairs forwards, and he lay there a great while, and the Maid ſhewed her the Room, and ſhe ſaw his Croſs and Pictures which the Maid told her he bowed to.

Whereupon the Houſe made this Order following.

Upon Information given to this Houſe by *William Sorocoale*, that applying himſelf to the Lord Mayor of *London* for a Warrant for the apprehending of a Popiſh Prieſt, and that the Lord Mayor refuſed to grant out his Warrant for that purpoſe. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Mayor of *London* ſhall have a Copy of the ſaid Information, of which he is required to ſend this Houſe an account in Writing, on *Thurſday* next at Ten of the Clock in the Forenoon.

Die Martis 12. *Novembris* 1678. *Poſt Meridiem.*

THe Houſe was adjourned into a Committee, to proceed in the conſideration of the Bill, for the more effectual preſervation of the Kings Perſon and Government. The Houſe was reſumed, and the Earl of *Bridgewater* reported, that the Committee have made a further progreſs in this Bill, and deſires the Houſe may be put into a Committee

mittee again on *Thurſday* Morning next to proceed therein; and to be the firſt buſineſs, and nothing to intervene, which is ordered accordingly.

Die Jovis 14. *Novembris* 1678.

THe Houſe being informed that the Lord Mayor of *London* was attending their Lordſhips pleaſure at the door, he was called in, and being come to the Bar, the Lord Chancellour did let him know the Information of *William Sorocoale* againſt him, to which his Lordſhip ſaid, that *William Sorocoale* had told the truth, but not the whole truth, for he did come to him for a Warrant to apprehend a *Romiſh* Prieſt, but could not tell his name, only told him the Prieſt was at one Mr. *Clouds* houſe, his Lordſhip told *Sorocoale* he knew the man very well, and offered to ſend for him while *Sorocoale* was preſent, and accordingly he did ſend for Mr. *Cloud*, but *Sorocoale* would not ſtay till he came.

He knew Mr. *Cloud* to be a very honeſt man and of good repute in the City, and that he was now attending at the Door.

He humbly deſired their Lordſhips to conſider how much buſineſs he is under in the Government of the City in this Juncture of time, and expreſſed his loyalty to the King and his Government, and the Religion of the Church of *England*, and that he ſhould make it his buſineſs to have a care of the City.

Then he being withdrawn, and the Houſe having conſidered of what the Lord Major had ſaid, he was called in again, And the Lord Chancellor by the directions of the Houſe told him, they did not intend he ſhould have had the trouble in this buſie time, to come in perſon but to have ſent his Anſwer in writing, that they were very well ſatisfied with what he had done in this buſineſs, and that the Lords look upon him as a Perſon that deſerves reſpect, for his care in the Government of the City, and gives him thanks for it, and further told him that *William Sorocoale* had miſrepreſented his Lordſhip to the Houſe, for which he ſhould have a reprehenſion and ſo his Lordſhip withdrew.

Then Mr. *Cloud* was called in, and asked why he keeps a Chappel and a Romiſh Prieſt in his Houſe, he denyed both, being

being asked of what Religion he was of, he confeſſed he was a Roman Catholick, but he was ready to take the Oathes of Allegiance and Supremacy, hereupon the Lords made the enſuing Order.

Whereas Mr. *Cloud* of *Broad-ſtreet* in *London*, appearing this day at the Bar, was Examined by this Houſe, it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Commiſſioners for the City of *London*, authorized for that purpoſe, be and are hereby authorized to ſend for and tender the Oathes of Allegiance and Supremacy to the ſaid Mr. *Cloud*.

The Lord Marqueſs of *Winton* Reported, that the Committee appointed to Examine concerning the Murther of Sir *Edmondbury Godfrey*, hath received Information that one Mr. *Powel* a Merchant of *London* hath been miſſing for many days, and none of his Relations can tell what is become of him, that his Lordſhip as a Juſtice of the Peace, hath taken ſeveral Examinations, by which there is great preſumption that he is Murthered, and by thoſe Examinations one *Woodward*, and *Adam Picket* are ſtrongly ſuſpected to have a hand in his Murther, therefore it was deſired that the ſame Committee as Examiners concerning the murther of Sir *Edmondbury Godfrey*, may have Power and Authority to Examine concerning the murther of the ſaid *Powel*, and that the ſaid *Woodward* and *Picket* may be ſecured, and brought before the Committee at three of the Clock this Afternoon.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords Committees appointed to Examine Witneſſes concerning the murther of Sir *Edmondbury Godfrey*, be and are hereby Authorized and Impowered to ſend for, and Examine and ſecure ſuch perſons as they ſhall find cauſe relating to the Diſcovery of what is become of one Mr. *Powel* a Merchant, who hath been for ſome days miſſing, and of whom there are ſtrong preſumptions that he is murthered, and to make Report thereof to the Houſe.

Ordered, that the Serjeant at Arms attending this Houſe, his Deputy or Deputies, be and are hereby required to attach the Bodies of Mr. *Woodward* and *Adam Picket*, and bring them in ſafe Cuſtody to the Lords Committees appointed (amongſt other things) to inquire into the Murther of Mr. *Powel* who hath been long miſſing, and this ſhall be a ſufficient Warrant on that behalf.

The Houſe being moved, that ſome account may be ſpeedily given to this Houſe of ſome number of Horſemen armed, riding through ſome parts of the North riding of *York-ſhire*, and

and of ſeveral meetings of Papiſts in thoſe parts, It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby recommended to the ſpeedy care of Sir *Chriſtopher Wivel* and Sir *Richard Grimes*, being Deputy Lieutenants and Juſtices of Peace there, to inquire into this matter and give the Houſe an account thereof.

This Houſe being moved, that ſome account may be ſpeedily given to this Houſe of ſome Horſemen Armed, Riding through the Weſt Riding of *York ſhire*, and of ſeveral meetings of Papiſts in thoſe parts. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby recommended to the care of the Lord Lieutenant of the Weſt Riding of the County of *York*, to direct that *Henry* Lord *Fairfax*, Sir *John Kaye* and *Ramſden* Eſquire, being Deputy Lieutenants and Juſtices of the Peace there do inquire into this matter, to the end this Houſe may have a ſpeedy account thereof.

Whereas Mr. *Thimbleby*, who was to be taken into Cuſtody by the Serjeant at Arms attending this Houſe, hath this day appeared at the Bar denying what is charged on him, It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Mr. *Thimbleby* ſhall ſtand Committed to the Priſon of the Kings Bench, there to remain in ſafe Cuſtody till further Order, and that the Serjeant at Armes attending this Houſe or his Deputies take care to convey him to the ſaid Priſon, and this ſhall be a ſufficient Warrant on that behalf.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe that His Majeſty will be pleaſed to give Order, that the Lord *Arundel* of *Warder* now cloſe Priſoner in the *Tower* for Treaſon, may for his health have the liberty of the *Tower* with a Keeper, who is not to ſuffer any perſons to diſcourſe with his Lordſhip privately.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord *Dunbarton*, the Lord *James Douglas*, Collonel *Macharty* and Collonel *Dungon* be, and are hereby permitted to ſtay in Town till further Order.

Ordered, *by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend the Queens Majeſty from this Houſe, with their humble thanks to Her Majeſty for her care and readineſs to give them ſatisfaction, in the late ſearch made at* Sommerſet-houſe.

William Green upon Oath given him at the Bar depoſed, that

that about *Auguſt* laſt he brought a *Letter* to one *Collins* a Popiſh Prieſt ſent to him out of *Flanders*, wherein there was this paſſage that there would be a War between *England* and *France*, whereupon *Collins* replyed we ſhould have War enough at home, this *Collins* he ſaid lived in the *Spaniſh* Ambaſſadors Houſe.

Upon this the Houſe Ordered, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to ſend to the *Spaniſh* Ambaſſador, deſiring him that *Collins* an *Engliſh* man and a Prieſt, and Dominick *Mac. Quir. alias Guevara*, may be delivered to ſuch Perſon or Perſons as His Majeſty ſhall think fit, and that Mr. *Green* may go along with the Meſſenger who ſhall be ſent, he knowing the ſaid *Collins* when he ſeeth him.

The Lord Chamberlain Reported, that the Lords with the White Staves, had preſented His Majeſty with Five Addreſſes.

1. That the Tryals of *Samuel Atkins*, Mr. *Child* and *Edward Coleman*, may be expedited.

To which His Majeſty returns this Anſwer, that he will expedite their Tryals.

2. That *William Bedloe* may have a general pardon.

To which His Majeſty gives this Anſwer, that he will give him a general pardon as is deſired.

3. That His Majeſty would be pleaſed to give a pardon to *Diana* and *Elizabeth Salvin*, for their hearing of Maſs.

To which His Majeſty gives this Anſwer, that he will give them a pardon as is deſired.

4. That Mr. *Biſtons* name may be inſerted in the Proclamation againſt *Conyers* and others.

The Kings Anſwer is, that he by his Secretary has commanded Mr. Attorney to do it.

5. That the *Scottiſh* Regiment may be ſpeedily removed Forty miles from *London*.

His Majeſties Anſwer is, that he will give ſpeedy Order for the removing of that Regiment.

Upon Report made by the Earl of *Shaftesbury*, from the Lords Committees appointed to inſpect the nature of the Cartrages, lately taken in the Houſe of Monſieur *Choquet*, that it is fit the ſaid Cartrages ſhould be ſecured, It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Maſter of the Ordinance ſhall forthwith ſend for and take into his Cuſtody the ſaid Cartrages, and keep them in ſafe Cuſtody in the *Tower* of *London*.

The Houſe was adjourned into a Committee to proceed in the

the further conſideration of the Bill for the more effectual preſerving of His Majeſties Perſon, the Houſe was reſumed, the Earl of *Bridgewater* Reported, that the Committee have been in further conſideration of the Bill for the preſervation of His Majeſties Perſon, and deſire the Houſe may be put into a Committee to morrow Morning to proceed therein, and that it may be the firſt buſineſs, and nothing to intervene, which was ordered accordingly.

Ordered, that the Lord *Culpeper* is added to the Committee appointed to Examine the Murther of Sir *Edmondbury Godfrey*.

Die Veneris 15 *Novembris* 1678.

UPon Report made from the Lords Committees, appointed to inſpect the nature of the Cartrages, lately taken at Mr. *Choquees* houſe, that they ought to be ſecured being not fit to be kept by any private Perſon, though intended only for Fire-works, which Cartrages are ſince ſecured in the *Tower*, It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed by his Order in Councel to publiſh, that all Perſons who have any Cartrages or Fire-works in their Cuſtody, be required to give notice thereof to the Councel Board, within days after the publication of the ſaid Order.

Then the Houſe was adjourned into a Committee to proceed in the conſideration of the Bill, for the more effectual preſerving the Perſon of the King, the Houſe was reſumed, and the Earl of *Bridgewater* Reported that the Committee have proceeded further upon the Bill, and deſire the Houſe would appoint another time for the Houſe to be put into a Committee, to proceed in the conſideration of that Bill, and the Houſe Ordered to morrow Morning, and to be the firſt buſineſs.

Then the Lord Chancellor Reported, that the Lords with White Staves had preſented to His Majeſty two Addreſſes from the Houſe.

1. Concerning the Lord *Arundel* of *Warder*, to have the liberty of the *Tower* for his Health.

To which His Majeſty returns this Anſwer, that he had given Order for the ſame, with thoſe reſtrictions their Lordſhips deſire.

2. Concerning His Majeſties ſending to the *Spaniſh* Ambaſſador, touching *Collins* and *Dominick Mac. Quir.*

That His Majeſty ſent Mr. Secretary Coventry *to the* Spaniſh *Ambaſſador to demand them, and the Ambaſſador promiſed to ſend them when and where His Majeſty pleaſed, expreſſing himſelf ſo ſenſibly of the occaſion upon which they were demanded, that if he knew his own Son were ingaged in it, he would deliver him up.*

The next Addreſs was to give the Queen thanks, for her care and readineſs to give the Houſe ſatisfaction for their late ſearch at *Sommerſet-houſe.*

To which Her Majeſty returns this Anſwer.

That Her Majeſty was very ſenſible of the civility of the Lords to Her, and ſhe ſhould be extreamly glad to contribute any thing on Her part to the Diſcovering of this Horrid Fact, and the more becauſe ſhe hears it was alledged to be done at Sommerſet-houſe *at the time ſhe was there, ſhe hoped the Lords would continue their good opinion of her when any of her concerns came before them, which ſhe would be ready to deſerve from them upon all occaſions.*

Die Sabbati 16. Novembris 1678.

ORdered, to have a conference with the Houſe of Commons, about granting Licences to Papiſts to ſtay in Town.

Lords Committees appointed to conſider what *Papers* and *Letters* are fit to be collected, and put into Mr. Attorney Generals hands, to enable him to prepare the whole Evidence for the Tryal of *Edward Coleman*, whoſe Lordſhips are to finiſh their meetings for that purpoſe by *Thurſday* next. D. *Cumberland*, L. Privy Seal, *&c.*

Their Lordſhips or any Three of them to meet this Afternoon, at Three of the Clock in the Lord Privy Seals lodgings, and to adjourn as they pleaſe.

Ordered, by the Lords Spiritual and Temporal in Parliament

ment Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty would be pleaſed to ſend to the Houſe of Commons, for ſuch *Papers* and *Letters* as may be neceſſary for the peruſal of the Lords Committees appointed to collect what is fit for perfecting the Evidence againſt *Edward Coleman*.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give leave that *Titus Oates* may name to His Majeſty two Perſons ſuch as His Majeſty ſhall approve off, to be with and attend the ſaid *Titus Oates* upon his neceſſary occaſions, and that His Majeſty will be pleaſed to give Order to the Lord Treaſurer, that ſuch allowances of Money may be made to the ſaid *Titus Oates* as his neceſſary occaſions ſhall require.

The Lord Marqueſs of *Winton* Reported, that the Committee have Examined ſeveral Perſons, and by what appears to them Mr. *Powel* is Murthered, therefore their Opinion is, that an Addreſs be made to His Majeſty, that he would pleaſe to give Order for iſſuing out a Proclamation, promiſing a Reward to him that ſhall diſcover the Murther.

Hereupon it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to iſſue out his Royal Proclamation, for a Reward to any Perſon that ſhall diſcover what is become of Mr. *Powel* a Merchant, who hath been miſſing ſome time, and of whom there is ſtrong preſumption that he is Murthered.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that His Majeſties Attorney General be, and is hereby appointed to prepare a Bill for the attainders of to be brought in this Houſe, therein ſetting a day for the ſaid perſons to come in, and that then notice may be taken of the ſaid Bill in the Proclamation, to be iſſued for ſummoning the ſaid perſons to appear and render themſelves.

Ordered, *by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give order for the ſpeedy removal of all Popiſh Families out of the* Tower *of* London.

The Lord Chancellor acquainted the Houſe, that the *Spaniſh* Ambaſſador had ſent thoſe two perſons, which he promiſed His Majeſty to deliver up.

One was *William Collins* an *Iriſh-man* entertained by the *Spaniſh* Ambaſſador, the ſaid *Collins* being brought to the Bar and aſked whether he knew one *William Green*, to which he ſaid, no, then *William Green* being called in, the ſaid *Collins* looking upon him confeſſed he knew the ſaid *Green*, who repeated what words he heard the ſaid *Collins* ſay (being the ſame Information he gave this Houſe the 14th of *November* inſtant) which words *Collins* denyed, the ſaid *William Green* further depoſed, that the ſaid *Collins* hath confeſt to him that he was a *Romiſh* Prieſt.

Hereupon the Houſe Ordered as followeth.

Whereas *William Collins* appearing this day at the Bar of this Houſe, was there charged with uttering words of dangerous conſequence, it is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Gentleman Uſher of the Black Rod attending this Houſe, or his deputies ſhall forthwith convey the ſaid *William Collins* to the Priſon of the *Gate-houſe* at *Weſtminſter*, there to remain a Priſoner till further order, and this ſhall be a ſufficient Warrant on that behalf.

The other Perſon was one *Dominico Gnavara alias Mac. Quir*, who being brought to the Bar, ſaid, he was Born in *Spain* and not naturalized, there being no charge againſt him, and being a *Spaniard*, It is Ordered, that he be returned to the *Spaniſh* Ambaſſador.

Then the Houſe was adjourned into a Committee to proceed in the conſideration of the Bill, for the more effectual preſerving of His Majeſties Perſon *&c.* The Houſe being reſumed, the Earl of *Bridgewater* Reported, that the Comittee have made a further progreſs in this Bill, but many clauſes are yet behind, therefore the Committee deſires that the Houſe may be put again into a Committee on *Monday* next to proceed in the ſaid Bill, and that it may be the firſt buſineſs, which the Houſe ordered accordingly.

Die

Die Lunæ 18. *Novembris* 1678.

HOdie *prima vice licita eſt Billa*, an Act requiring the Perſons therein named to render themſelves to Juſtice, and in default thereof to attaint them of High Treaſon.

The Marqueſs of *Winton* Reported, from the Committee for the diſcovery of the horrid deſign againſt His Majeſty, that the opinion of the Committee is, That an Addreſs be made to His Majeſty for a Proclamation of a General pardon, and Reward to ſuch as ſhall come in, and make further diſcoveries of this horrible deſign of the Papiſts.

2. That an Order may be iſſued out to ſearch all the Papiſts Houſes and Lodgings, and other ſuſpected places in the *Savoy* after the Body of Mr. *Powel*.

3. That Sir *Elkh Leighton* may not be diſcharged until Mr. *Oates* be heard againſt him.

4. That the Proclamation to be iſſued for Mr. *Powel*, may contain in it a General pardon, and a plentiful Reward to the Diſcoverer.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be graciouſly pleaſed to iſſue out his Royal Proclamation of a General Pardon, and a Reward to every ſuch Perſon or Perſons, as ſhall make any further Diſcovery of the Horrid Deſign againſt His Majeſties Perſon and Government.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that Sir *Elkh Leighton* now Priſoner in *Newgate* may not be diſcharged out of Priſon, before ſuch time as he ſhall be brought Face to Face with *Titus Oates*, before the Houſe of Peers.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed, that in the Proclamation which this Houſe hath prayed His Majeſty to iſſue for a Reward to any Perſon that ſhall diſcover what is become of Mr. *Powel*, who hath been miſſing ſometime, and of whom there are ſtrong preſumptions that he is murthered, there may be alſo a Declaration of His Majeſties General Pardon to ſuch Perſon or Per-

ſons as ſhall make ſuch diſcovery, and that the reward may be ſo conſiderable as to encourage them thereunto.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Gentleman Uſher of the Black Rod attending this Houſe, be and is hereby required forthwith to make a ſtrict ſearch in all the Papiſts Houſes and Lodgings, and other ſuſpected places in the *Savoy* for the diſcovery of the Body of Mr. *Powel*, who hath been ſometime miſſing, and of whom there are ſtrong preſumptions that he is murthered, and that the Duke of *Monmouth* be deſired to appoint a ſufficient Guard to aſſiſt him in this Service.

The Earl of Eſſex *Reported, that the Committee appointed to prepare ſuch Papers as are moſt requiſite to perfect the Evidence for the Tryal of* Edward Coleman, *do find that there are certain Letters of Mr.* Colemans *with Cyphers, which cannot be decyphered but by Mr.* Coleman *himſelf, therefore it is deſired that Mr.* Coleman *may be ſent for, and brought to attend the Committee to morrow Morning to try whether he will diſcover the Cyphers, and that he may be brought with a good Guard.*

2. That there are ſeveral *Papers* and *Letters* taken which were Mr. *Godwins*, amongſt which it is very probable there are ſome of Mr. *Colemans Letters*, which have not been yet peruſed, therefore, it was deſired that thoſe Papers may be brought to the Committee.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that *Edward Coleman* now a Priſoner in *Newgate* for Treaſon, be brought by the Keeper of *Newgate* before the Lords Committees to peruſe *Letters* and *Papers* to morrow at Nine of the Clock in the Forenoon, in the Lord Privy Seales Lodgings near the Houſe of Peers, and that the Duke of *Monmouth* be deſired to ſend a ſufficient Guard of Soldiers to aſſiſt the Keeper of *Newgate*, in this ſervice of bringing and returning *Edward Coleman*

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will pleaſe to give Order, that the *Papers* of Mr. *Godwin*, now in the Hands of the Clerks of His Majeſties Privy Councel, may be brought before the Lords Committees, appointed to conſider of and prepare the Evidences for the Tryal of Mr. *Coleman*.

Next the Duke of *Monmouth* acquainted the Houſe with two Examinations, one concerning the Sentinels at *Sommerſet-houſe*, another taken by Mr. *Loyd* concerning the diſcovery of Sir *Edmondbury Godfries* murther, it is Ordered, by the Lords

Spiritual

Spiritual and Temporal in Parliament Aſſembled, that the Examinations of ſeveral Soldiers taken by the Duke of *Monmouth*, and the Earl of *Clarendon*, and read in the Houſe this day, be and are hereby referred to the Lords Committees, appointed to Examine Witneſſes for the diſcovery of the murther of Sir *Edmondbury Godfrey*, to proceed thereupon as they ſhall ſee cauſe.

The Houſe was adjourned into a Committee, to conſider further of the Bill for the more effectual preſerving the Perſon of His Majeſty, the Houſe was reſumed, and the Earl of *Bridgewater* Reported, that the Committee has gone through the Bill, and have appointed a Sub-Committee to word thoſe Amendments they have made, and then to Report the whole altogether. And the Committee deſires the Houſe would appoint Mr. Juſtice *Atkins*, and Mr. Juſtice *Jones* to aſſiſt their Lordſhips herein, all which was Ordered accordingly, and any three to meet this Afternoon at three in the Princes Lodgings.

A Meſſage was brought from the Houſe of Commons by Mr. Secretary Coventry *and others, that the Commons in Parliament Aſſembled, reflecting on the imminent dangers wherein the Kingdom is involved, by the reſtleſs conſpiracies of Popiſh Recuſants againſt His Majeſties Perſon, and the Religion and Government eſtabliſht do find themſelves neceſſitated, to remind your Lordſhips for a ſpeedy proceeding on the Bill before you entituled, an Act for the more effectual preſerving the Kings Perſon and Governments, by diſabling Papiſts from ſitting in either Houſe of Parliament, without which they think themſelves unable to prepare any effectual remedies to prevent the Evils that hang over us.*

The Lord Treaſurer Reported, that the Lords with white Staves had preſented Three Addreſſes to His Majeſty.

1. For the removal of the Popiſh Families out of the *Tower* of *London*.

Which His Majeſty hath already given directions for.

2. That which concerns *Titus Oates*, His Majeſty will take Order he ſhall have ſervants and ſupplies for his neceſſary occaſions, towards which he hath already had ſome Money.

3. As to the Addreſs of a Reward to ſuch Perſon or Perſons as ſhall diſcover what is become of Mr. *Powel*, who hath been ſometime miſſing, and of whom there are ſtrong preſumptions that he is murthered, His Majeſty looks on this as imperfect, ſuppoſing the Reward is not intended to be given to ſuch as ſhall diſcover where he is if Living, and having withdrawn himſelf upon his own occaſions, but if he be murthered or de-

tained by any Persons that are guilty of the Horrid Design against His Majesties Person or Government.

Die Martis 19. Novembris 1678.

THe House being moved, that a blank Order of Attachment of some Persons suspected to be guilty of the horrid design against His Majesties Person may be issued, and that the Lords Committees for Examining Witnesses in Order to the Discovery of the said horrid design against His Majesties Person may be intrusted to insert the names of the Persons to be Attached, as also of the Persons who shall Execute the said Order to prevent a discovery and escape of the said Persons, upon consideration had thereof, It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that such a blank Order of Attachment, shall be issued so as among the names to be inserted, the said Lords Committees insert not the name of any Peer of this Realm to be attached by vertue thereof.

The Lord *Carington* being in his place, acquainted the House that he was informed his name was spoke of in the House of Commons, as if he had been guilty of the horrid design against His Majesty, which he abhors, and that His Lordship hears there is a Warrant out against him from the Lord Chief Justice of *England*, his Lordship pleaded his innocence and submitted himself to their Lordships pleasure.

Hereupon the House sent to the Lord Chief Justice to come, that they may receive an account from him of the business, who being come did let the House know that being sent for Yesterday by the House of Commons, he took the Examination of *William Bedloe* upon Oath in the Speakers Chamber, who (among other Persons) accused the Lord *Carington* to be with several other considerable Persons, in a confederacy for raising money and men to carry on the design against the Kings Person and Government. And that *William Bedloe* said in his Examination he knew the Lord *Brudnel* and that he is in the Conspiracy, and that the Lord *Brudnel* told *Bedloe* he was then going into the North to further it, and that the Lord *Carington* was to raise Five Thousand Pound, and a proportionable number of men to joyn therein with the Lord *Bellasis*, that the Lord Chief Justice did issue out his Warrant for the

the Lord *Carington* to come before him, and delivered it to the high Conſtable, who was to ſeek the Lord *Carington* late laſt night and early this Morning, but could not meet with him, that the Lord Chief Juſtice did intend to come yeſterday to give this Houſe an account of his proceedings, but the Houſe was up.

After conſideration had hereof, the enſuing queſtion being put, whether that the Lord *Carington* ſhould be Committed to the cuſtody of the Black Rod, upon the Information given by the Lord Chief Juſtice, it was reſolved in the Affirmative.

Upon Information received this day from the Lord Chief Juſtice of England, *concerning the Lord* Carington *a Member of this Houſe, It is reſolved by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Lord* Carington *ſhall ſtand Committed to the Gentleman Uſher of the Black Rod attending this Houſe, there to remain in ſafe cuſtody till further Order, and this ſhall be a ſufficient Warrant on that behalf.*

This Day *Charles Price*, who was one of thoſe Perſons ſent for to be taken into cuſtody by the Serjeant at Arms, about the late horrid deſign was brought to the Bar, and being asked whether he knew Mr. *Spalding* the under Governor of *Chepſtow* Caſtle, he ſaid he did, then he was told, that he was charged with confederacy to deliver up *Chepſtow* Caſtle to the Earl of *Powis*, which he denyed; was Ordered to withdraw, whereupon the Houſe made this Order.

Whereas *Charles Price*, who was to be taken into cuſtody by the Serjeant at Armes attending this Houſe, hath this day appeared at the Bar denying what is charged on him, It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Charles Price* ſhall ſtand committed to the Priſon of the Kings Bench, there to remain in ſafe cuſtody till further Order, and that the Serjeant at Arms attending this Houſe, or his Deputies take care to convey him to the ſaid Priſon, and this ſhall be a ſufficient Warrant on that behalf.

The Lord Chancellor told the Lord *Carington* what the Houſe had reſolved concerning him, and upon what grounds, and asked him whether he had any thing further to ſay at this time, and his Lordſhip ſaid not, only ſubmitted himſelf to their Lordſhips pleaſure,

Then the Houſe was adjourned into a Committee, to proceed in the further conſideration of the Bill, for the more effectual preſerving the Perſon of His Majeſty, the Houſe was reſumed, and the Earl of *Bridgewater* Reported, that the Houſe have ſpent ſome time in conſideration of the ſaid Bill,

and

and are now ready to Report the ſame when the Houſe ſhall pleaſe to appoint, and the Houſe Ordered the ſaid Report to be made to morrow Morning.

Upon the Petition of the Earl of *Powis* now a Priſoner in the *Tower* for Treaſon, praying that ſome Writings of his (which being ſeized are now in the cuſtody of the Clerk of the Parliaments) may be viewed, and that ſuch of them as relate only to private Perſons ſettlements and concerns may be reſtored to him, It is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Sir *Andrew Hacket* Knight one of the Maſters in Chancery, be and is hereby Authorized and appointed to peruſe the ſaid Writtings and ſort them, ſo that what of the ſaid Writings ſhall appear to be only of private concern, to particular Perſons ſettlements of Eſtates, may by order of this Houſe be delivered to the Earl of *Powis*, or ſuch Perſon as he ſhall appoint to receive the ſame.

The Lord Treaſurer Reported, that the Lords with White Staves have preſented to His Majeſty the ſecond Addreſs for a General Pardon, and conſiderable Reward to be given to ſuch Perſon or Perſons as ſhall diſcover what is become of Mr. *Powel*, who hath been ſometime miſſing, and of whom there are ſtrong preſumptions that he is murthered. His Majeſty obſerves this Addreſs to be imperfect in the ſame manner as the firſt Addreſs was, but His Majeſty underſtanding what your Lordſhips mean by it, if it be left to him, will do thereon what ſhall be fitting, which the Houſe agreed to.

The Lord Treaſurer acquainted the Houſe, that Mr. *Oates* had ſent to him for Two Hundred Pound, whereas he hath had paid him already One Hundred and Twenty Pound, to ſupply his neceſſities.

The Houſe left it to His Majeſty.

Die Mercurii 20. *Novembris* 1678.

Hodie ſecunda vice lecta eſt Billa, an Act requiring the Perſons therein named to render themſelves to Juſtice, and in default thereof to attaint them of High Treaſon.

The Earl of *Bridgewater* Reported, that the Committee have ſpent many days in conſideration of the Bill, for the more effectual preſerving His Majeſties Perſon and Kingdom, wherein

in the Committee have made ſeveral alterations, and his Lordſhip ſhewed the grounds and reaſons thereof, which were offered to the conſideration of the Houſe,

The Amendments were twice read as followeth.

1. sk 21 *l*, *leave out from* (*right*) *to* (*ſhall*) *in the* 32 *l and read* (*every perſon that now is or hereafter ſhall be a Peer of this Realm or Member of the Houſe of Peers, and every Perſon that now is or hereafter ſhall be a Member of the Houſe of Commons.*)

33 *l leave out the word* (*firſt*)

2 sk 25 *l After* (*beginning*) *add and that from and after the ſaid firſt day of* December, *no perſon that now is or hereafter ſhall be a Peer of this Realm or Member of the Houſe of Peers, ſhall Vote or make his Proxy in the Houſe of Peers, or ſit there during any debate in the ſaid Houſe of Peers, until ſuch Peer or Member of the Houſe of Peers, ſhall firſt take the ſaid ſeveral Oathes, nor any perſon that now is or hereafter ſhall be a Member of the ſaid Houſe of Commons, ſhall vote in the ſaid Houſe of Commons, or ſit there during any debate in the ſaid Houſe of Commons after their Speaker is choſen, until ſuch member ſhall from time to time reſpectively, and in the manner following take the ſaid ſeveral Oathes and make, ſubſcribe, and audibly repeat the Declaration aforeſaid.*

32 *l leave out* (*before he take his place in the ſaid Houſe of Peers.*)

4 sk. 14 *l. leave out* (*and ſhall be diſabled from thenceforth to ſit or vote in either Houſe of Parliament, or make a Proxy in the Houſe of Peers*) 21 *l. inſtead of* (*Adminiſtror*) *read* (*Adminiſtrator.*)

30 *l. After* (*lye*) *add* (*and every Perſon that now is or hereafter ſhall be a Member of the Houſe of Commons ſo offending, ſhall be diſabled from thenceforth to ſit or vote in the Houſe of Commons.*)

5 sk 7 *and* 8 *l. leave out* (*and ſubſcribing the ſaid Declaration.*)

15 *l. After* (*Parliament*) *add* (*provided that nothing in this Act contained ſhall be deemed, conſtrued or taken to ſeclude or reſtrain any Peer or Member of the Houſe of Peers, who ſhall take the ſaid Oathes of Supremacy and Allegiance from ſitting or voting or making his Proxy in the ſaid Houſe of Peers, nor ſhall any ſuch Peer or Member of the ſaid Houſe of Peers, as ſhall refuſe to take the ſaid Oathes of Supremacy and Allegiance, or either of them incur any other penalty; forfeiture or diſabilitie*

then

then ſuch as are expreſly and particularly by this preſent Act inflicted, and impoſed any thing in this Act contained to the contrary in any wiſe notwithſtanding.)

7 sk 4 *l. After (now is) read (or hereafter ſhall be.)*

5 *l. After (Majeſty) add (nor to ſuch ſervants of the Queen as Her Majeſty ſhall under her hand and ſeal from time to time for that purpoſe think fit to nominate, the perſons ſo nominated, not at any one time exceeding the number of Nine of her Women Servants, and the number of Twelve of her Men Servants, nor to ſuch Perſons as are or ſhall be Servants, attending upon Her Royal Highneſs of* York *being Italians by Birth, nor to ſuch Servants of Her ſaid Royal Highneſs, as ſhe under her hand and ſeal ſhall from time to time for that purpoſe nominate, the Perſons ſo nominated Men or Women not exceeding Ten in number at any one time. And be it further enacted by the Authority aforeſaid, that no perſon to be nominated for the future being a Popiſh Recuſant, ſhall be capable of ſerving the Queens Majeſty in the places of Chamberlain or Maſter of the Horſe to Her Majeſty, other than the preſent Maſter of the Horſe, but from thenceforth ſuch perſon ſhall be utterly diſabled from ſerving Her Majeſty in the ſaid places or either of them.*

Upon debate of theſe Amendments, the Queſtion being put whether to agree with the Committee in the Amendments of the firſt Paragraph, it was reſolved in the Negative.

Then the reſt of the Amendments were read, and thoſe Amendments which have any Relation to the Amendments in the firſt Paragraph were not agreed to.

The word (Adminiſtrator) for (Adminiſtror) agreed to.

The Amendments concerning the Queens and the Dutcheſs of *York* Servants are agreed to

After this a proviſo was offered to the Houſe to be added to this Bill, which was read twice (*viz.*) provided always that nothing in this Act contained, ſhall extend to his Royal Highneſs the Duke of *York*.

And after debate this Queſtion was propoſed whether this proviſo read twice ſhall be made a part of the Bill.

Then this previous Queſtion was put whether this Queſtion ſhall be now put, it was Reſolved in the Affirmative.

Then the main Queſtion was put whether this proviſo read twice ſhall be made a part of this Bill, it was Reſolved in the Affirmative.

Hodie tertia vice lecta eſt Billa, an Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

The Queſtion being put, whether this Bill with the Amendments

ments and proviſo now read, ſhall paſs, it was Reſolved in the Affirmative.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Captain *Archbald Duglas* be and is hereby Authorized, and permitted forthwith to paſs hence on his direct way to *Flanders* without the let, ſtay or interruption of him in his Journey, and paſſage thither by any Perſon or Perſons whatever. And this ſhall be a ſufficient warrant on that behalf.

Upon Report from the Lords Committees for Examining Perſons in Order, to the diſcovery of the Horrid Deſign againſt His Majeſties Perſon and Government, that *Le Lieure* (for the apprehending of whom a warrant hath been iſſued by the Lord Privy Seal and Marqueſs of *Winton*) reſideth in His Majeſties Royal Palace at St. *James's*, ſo that the warrant cannot be Executed, It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Chamberlain of His Majeſties Houſhold do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order, that the ſaid *Lieure* may be brought before the ſaid Lords Committees.

The Marqueſs of *Winton* acquainted the Houſe, that Mr. *Bedloe* had informed the Committee for Examining of Papers, that the place where he is lodged in *Whitehall* is under ground and damp, which is a great prejudice to his Health, therefore deſires he may be accommodated with a better Lodging, the Lord Chamberlain of His Majeſties Houſhold told the Houſe he will uſe the beſt care he can to provide a better Chamber for him.

Die Jovis 21. *Novembris* 1678.

THe Lord Marqueſs of *Winton* Reported two Examinations, one of *Oliver du Fiquets*, the other of *Francis Verdier*, which were read as followeth.

1. *La Columbiere* Jeſuit and Preacher to the Dutcheſs, hath for the ſpace of three moneths had frequent Communications with Mr. *Coleman*, who came every day to communicate with him in his Chamber from Eleven in the Morning till midday.

Fur-

Further, that Mr. *La Columbiere* ſent his Servant *Lieure* to ſtay in the Country for the ſpace of two moneths and an half, and took to his ſervice the Nephew of Mr. *Coleman* betwixt Thirteen and Fourteen Years old. And after that Mr. *Coleman* was put in Priſon, *Mounſieur La Columbiere* took his Servant again and ſent away the Nephew of Mr. *Coleman* and went to live in the Country, Further I know that *Mounſieur La Columbiere* hath great Correſpondence with Father *Le Cheſe*, and with Cardinal *Bovillon*.

2. *Monſieur La Columbiere* told me to induce me to his Religion, that if I made ſo much difficulty the King would not hinder me to make choice of the Roman Catholick Religion, ſeeing he knew very well that the King was a Catholick in his Heart.

3. Furthermore, when I repreſented to him that the Parliament would not ſuffer pervertion in *England*, Monſieur *La Columbiere* ſaid to me, that if the Parliament oppoſed Roman Catholicks, the King would diſſolve it, and further that the Parliament ſhould not be always Maſter, he told me alſo that I ſhould ſee in a little time all *England* changed, which alſo was confirmed to me many times by his Servant.

4. And as I had a deſign to go ſtudy at *Oxford* in order to be a Miniſter, he turned me from it in repreſenting to me that if I went to ſtudy at *Oxford*, I ſhould fill my mind with the Errors, which the Divinity of *Oxford* teacheth contrary to the Holy Scripture, and if I would return into *France*, he would by the means of Father *La Cheſe* Jeſuit and Confeſſor to the King of *France* place me to ſtudy in the Colledge of *Glermont*, and alſo that he did write to *Park* to a Jeſuit in the abſence of Father *La Cheſe*, whoſe anſwer I read my ſelf in *Monſieur La Columbiers* Chamber, and alſo that he had told the Duke of *York* that he had turned me from my purpoſe of being a Miniſter, and ſaid that his Highneſs expreſt much ſatisfaction in it, which ſurprized me much, but then *Monſieur La Columbiere* told me that I ought not to wonder at that, ſeeing his Highneſs was a Catholick and received often the Sacraments, this alſo was confirmed to me by his Servant.

5. Moreover *Monſieur La Columbiere* hath received many abjurations in his Chamber as well of *French* as of *Engliſh*, and alſo I ſpoke in his Chamber with an Engliſh Gentleman whom he ſent into *France* to pervert by means of Cardinal *Bovillon*.

6. That *Monſieur Drevill* a French man carryed to *Monſieur La Columbiere* an Engliſh Merchant to pervert him, whom

Mon-

Monſieur La Columbiere was to ſend into *France* and his Family to the Cardinal *Bovillon*.

7. That *Monſieur La Columbiere* ſends ſecretly Prieſts into *Virginia*, amongſt others *Maccarty* an Iriſh Prieſt, who was carryed by *La Columbiers* Servant, and by his Order to *Monſieur La Choquee* who lives at the *Savoy*, and alſo *La Columbiere* told me that he deſired to go thither,

This is all that I can affirm upon Oath.

8. Furthermore, that *La Columbiere* hath made Maſs to be ſaid at Mr. *Robert Angiers* by *Macharty* every *Sunday* and Holy day and alſo in the Country.

9. That *La Columbiere* hath ſeduced *Monſieur Salamon* a Miniſter at the *Savoy* to put him into a Convent, and another Perſon that was come with an intention to enter into the Miniſtry, *La Columbiere* hath ſent them into *France*, and gave them money in *Picardy* in his Servant *Lieures* houſe, and then they were to paſs to *Rome* by the means of Cardinal *Bovillon*.

This is all I can affirm upon Oath, and in the preſence of the parties.

Capt *& jurat. Novemb.* 16. 1678. *Oliver Du Fiquet.*
coram me Wincheſter.

Francis Verdier *ſaith that about Five or Six Moneths ſince he was at* Columbiers *Chamber with Mr.* Fiquet, *and there heard the ſaid* Columbiere *ſpeak to Mr.* Fiquet *perſwading him to become a Catholick uſing Arguments for it, whereupon the aforeſaid* Fiquet *ſaid though all were true that he urged, yet it was not fit for him in this Country while the King would not permit it, to which the ſaid* Columbiere *replyed that the King would not take it ill if the ſaid* Fiquet *ſhould turn Catholick, for that the King was himſelf a Catholick in his Heart.*

Sworn this 19th day of *November* 1678. *Francis Verdier.*
Angleſey.

Whereupon the Houſe made the enſuing Order.

Upon Report made from the Lords Committees, appointed to Examine Perſons for the diſcovery of the horrid deſign againſt His Majeſties Perſon and Government, that upon the Examinations of *Oliver Du Fiquet* and *Francis Verdier* taken upon Oath, it appeareth, that *La Columbiere* (a Jeſuit and Preacher to the Dutcheſs) now Priſoner in the Kings-Bench hath held frequent and long communications with Mr. *Coleman*, and hath great correſpondence with Father *Le-Cheeſe*

and

and with Cardinal *Bovillo*, and that he hath endeavored to pervert the ſaid *Oliver Du Fiquet*, and *Francis Verdier* and others to the Popiſh Religion, uſing Arguments of a dangerous nature for that purpoſe, and hath in his Chamber received many abjurations of Perſons as well *French* as *Engliſh*, and that he hath ſecretly ſent Prieſts into *Virginia*, of whom *Macarty* an *Irish* Prieſt was one, all which matters being of dangerous conſequence, and in oppoſition to the Peace and Government of this Kingdom, it is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order, that the ſaid *La Columbiere* may be Baniſhed out of this Kingdom, and all other His Majeſties Territories and Dominions whatſoever.

Upon Report made from the Lords Committees, appointed to Examine Perſons for diſcovering of the Horrid Deſign againſt His Majeſties Perſon and Government, that *Thomas Morgan* who came out of *York ſhire* to inform of the deſign to Burn His Majeſties Fleet, hath been Wounded and in danger of being murthered (by perſons yet unknown) ſince his coming to Town, and is in want of neceſſaries, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do wait on His Majeſty, humbly to deſire him from this Houſe that His Majeſty will be pleaſed to give order to the Lord Treaſurer, to conſider of the preſent neceſſities of the ſaid *Thomas Morgan*, and to make ſuch allowance of money for ſupply thereof as ſhall to His Majeſty ſeem fitting.

The Earl of *Bridgewater* Reported, that the Committee have conſidered the Bill for attainting *Conyers* and others, if they do not come in by a certain day, the Opinion of the Committee is that the name of *Beeſton* be left out of the Bill, he having rendred himſelf, and with this Amendment the Committee think fit the ſaid Bill be engroſſed.

The Houſe agreed with the Committee in this report and ordered the Bill to be engroſſed

Whereas *Thomas Biſton alias Beeſton*, being one of the Perſons required by His Majeſties Proclamation (for apprehending certain offenders therein named, and for the better ſecurity of His Majeſty and his Government from dangers ariſing from Popiſh Recuſants) to render themſelves to Juſtice, did before the iſſuing of the ſaid Proclamation render himſelf to the Lords Committees appointed to Examine Perſons for the diſcovery of the horrid Plot againſt His Majeſties Perſon and Government

Government; where he was Examined and acquitted by their Lordſhips, and the Houſe of Peers upon Report made thereof, have given Order for the leaving the name of the ſaid *Thomas Biſton alias Beeſton*, out of the Bill of Attainder of the Perſons therein named now depending in this Houſe, it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Thomas Biſton alias Beeſton*, be and is hereby diſcharged from any further attendance concerning this matter, and hath liberty to repair to his Charge as a Soldier for taking the Oathes of Allegiance and Supremacy and Teſt, and receiving the Sacrament of the Lords Supper according to the uſage of the Church of *England*.

The Houſe being informed, that Captain *Francis Spalding* Deputy Governor of *Chepſtow Caſtle* was attending without, he was called in, and being brought in by the Serjeant at Arms, he was told that he is accuſed for being a Papiſt, and for having been at Maſs in *Sommerſet houſe*, to which he ſaid he is not a Papiſt, and that he hath not been at *Sommerſet-houſe* theſe ſeven years, but once to ſee the Captain of the Guards about a year and half ſince, and being aſked whether he knows Mr. *Charles Price*, he confeſſed he did, but being charged with a Conſpiracy to render up *Chepſtow* Caſtle to the Earl of *Powis* he denyed it, and further ſaid he knows not his Lordſhip nor ever received any Letter from him.

Then *William Bedloe* being brought to the Bar with him, ſaid, that Captain *Spalding* was to deliver up *Chepſtow* Caſtle to *Charles Winter* for the Earl of *Powis*, and being asked how he knew it, he ſaid Sir *Henry Tichborne* told him ſo at *Paris* about two years ſince, and *Walſh* and *Le Phaire* told him ſo alſo, and that Captain *Spalding* told him three years ſince upon the Road travelling with him toward *Abergavenny*, that the Lord *Brudnel* had got him into *Chepſtow* Caſtle upon that Deſign, to which Captain *Spalding* ſaid he never heard any thing of the delivery of *Chepſtow* Caſtle to *Charles Winter* till now.

Then James Bedloe (*Brother to* William Bedloe) *being called in and ſworn, ſaid he ſaw Captain* Spalding *at Maſs in* Somerſet-houſe *about three years ago, and being aſked whether he ſaw him kneel or beat his Breaſt, he ſaid he ſaw him in the poſture of bowing as other People were with his hand on his Breaſt.*

Then Captain *Spalding* denyed this Accuſation, and ſaid, that he goes to Church, and that about Four years ſince he received the Sacrament and Teſt, and hath a Certificate of it, but he cannot ſay he hath received the Sacrament ſince.

Upon which they being withdrawn the Lords made this following Order.

Whereas *Francis Spalding*, who was to be taken into custody by the Serjeant at Armes attending this House, hath this day appeared at the Bar, denying what is charged on him, it is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Francis Spalding* shall stand committed to the Prison of the *Kings-bench*, there to remain in safe Custody till further Order, and that the Serjeant at Armes attending this House, or his Deputies take care to convey him to the said Prison, and this shall be a sufficient warrant on that behalf.

Whereas *Charles Winter* was this day brought to the Bar by the Serjeant at Armes, and there heard what he had to say in answer to those matters wherewith he was charged by *William Bedloe*, after consideration had thereof, it is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Charles Winter* be and is hereby discharged from any further restraint concerning the same, and this shall be a sufficient warrant on that behalf.

Upon Report made by the Earl of *Bridgewater* from the Lords Committees, for Examining the Journal of this House, that upon Examinations thereof, their Lordships find that the Narrative made by *Titus Oates* at the Bar on the one and Thirtieth of *October* last, of the horrid design against His Majesties Person and Government, is only mentioned in the Journal, and not entred at large in such manner as he then related it, and that therefore their Lordships desire the direction of this House concerning this matter, it is thereupon Ordered, that the said Narrative made by *Titus Oates* on the said one and Thirtieth day of *October* last shall be entred at large, and inserted in the Journal as a part of the business of that day.

Upon reading the Petition of *Nathaniel Thompson* Printer, now Prisoner in the *Gate-house*, for Printing Popish Books acknowledging his Offence, and with sorrow begging pardon for the same, and praying that he may be restored to his Liberty, without which his Wife and Children will be ruined, It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Nathaniel Thompson* shall appear and give good security before the Lord Chief Justice of *England*, for his the said *Thompsons* being of the good Behavior according to the Act concerning Printing, and that thereupon the said *Nathaniel Thompson* be discharged from his present Imprisonment, and this shall be a sufficient warrant on that behalf.

The House being moved, that the Lady *Brudnel* Wife of the

the Lord *Brudnel*, now Prisoner in the *Kings-bench*, by warrant of the Lord Chief Justice of *England* may have have leave to come to Town, and remain with her Husband the Lord *Brudnel*, it is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Lady *Brudnel* be and is hereby authorized and permitted to come to Town, and abide with her said Husband the Lord *Brudnel* in the Prison of the *Kings bench*, without restraint as a Prisoner.

William Bedloe at the Bar, complained of a mistake in his pardon granted to him by the Kings Majesty, and that by the omission of the word (*non*) before (*molestetur*) he was lyable to further trouble, upon which the Lord Chancellor told him, that if there were such a mistake, it might be rectifyed in the Kings presence, and the Pardon should then be sealed again, but upon Examination of the patent before His Majesty by his Attorney in this House, it appeared that the pardon is as it ought to be, and that the mistake arose from the misreading of (*volentes*) instead of (*nolentes*) upon which the Lord Chancellor declared to him at the Bar, that the pardon is good and as it ought to be, and so caused it to be delivered to him at the Bar.

Ordered, that this House will be in a Committee to morrow Morning, to consider of heads for a Bill, for the better securing the Protestant Religion, and to be the first business.

Die Veneris 22. *Novembris* 1678.

UPon Report made by the Earl of *Essex* from the Lords Committees, appointed to inspect Mr. *Colemans* and other Persons Papers and Letters, that their Lordships have not power to deliver Papers or Letters over to the Kings Attorney, it is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said Lords Committees have hereby power given them to deliver over to His Majesties Attorney General, such *Papers* and *Letters* as they shall find necessary for his use, in order to his preparing Evidence against such Persons as are to be tryed.

The Earl of *Essex* further Reported, that the Lords Com-

mittees in peruſing of Mr. *Colemans Letters* had found ſome *Letters*, written in a myſtical expreſſion which were read.

The Houſe was adjourned into a Committee to conſider of heads for a Bill, or Bills for ſecuring the Proteſtant Religion, the Houſe was reſumed, and the Earl of *Bridgewater* Reported, that the Commmittee finding the Order for this buſineſs not large enough deſires the former Order may be renewed, that the ſame words may be expreſt *viz.* to conſider of ſuch propoſals, as ſhall be offered for the preſervation of His Majeſties Perſon and the ſafety of the Kingdom, and ſecuring of the Proteſtant Religion, which Ordered, then the Houſe was again put into a Committee for that purpoſe, and after ſome conſideration the Houſe was Reſumed.

A Meſſage was brought from the Houſe of Commons by Mr. *Powel*, *&c.*

1. To let their Lordſhips know that the Commons have prepared an Addreſs to be preſented to His Majeſty, for uſing ſome part of the *Militia* of the Kingdom, to which their Lordſhips concurrence is deſired.

2. To put their Lordſhips in mind of an Addreſs to His Majeſty, for Printing ſome of Mr. *Colemans Papers*.

The aforeſaid Addreſs was read, and Committed to theſe Lords following, to inſpect and conſider of the ſtatutes for the *Militia*, in relation to the number of days for keeping up the Forces of this Kingdom, and to make Report thereof to the Houſe to morrow Morning.

Lord Privy Seal.
Lord Great Chamberlain, *&c.*
And all Lords who are Lords Lieutenants.

Their Lordſhips or any three of them to meet at three of the Clock this Afternoon in the Princes Lodgings.

Die Sabbati 23. *Novembris* 1678.

THe Lord Chancellor acquainted the Houſe, that Mr. Secretary *Coventry* hath ſent him a Pacquet of *Letters* directed to *John Grove*, which His Majeſty hath read, and if the Houſe pleaſe they may be delivered to the Lords Committees, for Examination of the diſcovery of the horrid deſign againſt

gainſt His Majeſties Perſon and the Government, that they may make ſuch publick uſe of them as they ſee cauſe, which was Ordered accordingly.

The Earl of *Peterborough* Reported, the opinion of the Committee appointed to inſpect and conſider the ſtatutes for the Militia, in relation to the number of days for keeping up the Forces of this Kingdom in one year. That upon inſpection of the Acts for the *Militia*, the *Militia* cannot be kept up above Twelve days in one year, and therefore Four days to be for principal Muſters, and two and two, and two and two (*viz*) Eight days on particular Muſters, and of the Twelve days in many Counties the Lieutenants have already exerciſed and Muſtered their men ſome of thoſe days in this preſent year, not but that by His Majeſties directions (as appears by the ſtatutes) they may be kept up longer, but their Lordſhips do not find that there is any power to raiſe money to maintain them.

Ordered, to have a Conference with the Houſe of Commons to acquaint them with what their Lordſhips have done therein, and to let them know that this Houſe will be ready to joyn with them herein, ſo far as they can by Law.

The Lord Marqueſs of *Winton* Reported, an Examination taken by him, which was read *viz*.

Joſeph Francklyn living on the Bank-ſide near the *Falcon* in *Southwark* Glaſier ſworn, and Examined before my Lord Marqueſs of *Winton* the two and twentieth day of *November* 1678.

That *Thurſday* the ſeventh of *November* he found a *Letter* in *Chancery-lane*, directed to the Duke of *Norfolk* to adviſe him to be out of Town, for there ſhould be ſuch a ſtroak to the Enemies of the Church as never any the like ſince the Creation, that in the Afternoon he carryed the ſaid *Letter* to the Councel.

That the very ſame night two men pretending to be the Duke of *Norfolks* Servants, one of them came to this Deponent firſt, and told him there was one at the *Falcon* Tavern deſired to ſpeak a word or two with him, this Deponent asked him who it was, and he ſaid it was the Duke of *Norfolks* Chaplain, and this Deponent refuſing to go, he told this Deponent he muſt go, and begun to make a buſtle about his door and called for an Officer, but afterwards there came a Perſon with him in a Miniſters habit, who asked this Deponent, if he was the man that found the *Letter* directed to the Duke of *Norfolk*, and after ſome diſcourſe about it, they told this Deponent that it was a diſhonor to their Lord, and ſhould be of

ill consequence to him this Deponent, and that the Devil had not rewarded his Servants well this bout,

Capt. & jurat die & Anno pred. coram me Winchester. *Joseph Francklyn.*

Upon reading the Examination of *Joseph Francklyn* taken by the Marquess of *Winton*, and by his Lordship reported to the House concerning a *Letter*, and from passages betwixt the said *Joseph Francklyn* and Mr. *Cuthbert Brown* Chaplain, and *Richard Revel* Footman to the Duke of *Norfolk* concerning the said *Letter*, it is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Joseph Francklyn*, and *Christopher Mitchel*, and *Anne* his Wife, and such other Persons as the said *Francklyn* can produce, who heard the said passages be and are hereby required to appear at the Bar of this House, on *Monday* the Five and Twentieth day of this instant *November* at Ten of the Clock in the Forenoon, at which time also the said *Cuthbert Browne*, and *Richard Revel* are also required to attend this House.

The Earl of *Essex* Reported, that the Lords Committees have collected some of the most principal *Papers* of Mr. *Coleman*, and have delivered them to Mr. Attorney General to be made use of at the Tryal of Mr. *Coleman*, also his Lordship Reported, that the Committee desires that they may have liberty to peruse the *Papers* and *Letters* of those Lords who are in the *Tower*.

Hereupon It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords Committees appointed to Examine Persons and *Papers*, concerning the horrid design against His Majesties Person and Government, be and are hereby impowered to peruse all the *Papers* and writings, of the Earl of *Powis*, Lord *Arundel* of *Warder*, and Lord *Bellasis* Prisoners in the *Tower*, which being seized are now in the Custody of the Clerk of the Parliaments, and to give the House an account thereof

His Lordship further Reported, that *William Bedloe* had been with the Lords Committees, and that the name of *Charles Milbourn* for *George Milbourn* is mistaken. Ordered that the said *George Milbourn* be Attached.

Ordered, that the Lord Viscount *Hallifax* is added to the Committee for inspecting Mr. *Colemans* Letters.

A *Letter* of one *John Zeal* a Prisoner in *Newgate*, formerly a Page to Sir *Francis Ratcliffe* read, wherein he chargeth Sir *Francis Ratcliffe* for speaking dangerous words some years ago.

A *Letter* of *John Wolmer* written to Mr. *Harris* is read, informing that at *Stratford* upon *Avon* two perſons were ſtaid there, who having been offered to take the Oath of Allegiance refuſed to take it, one his name is *John Gerard* ſuppoſed to be a Prieſt and had come from the Lord *Carington*'s houſe, the name of the other they cannot learn.

Ordered, that this *Letter* is referred to the Lords Committees for Examinations to be made uſe of as they ſhall ſee cauſe.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Armes attending this Houſe or his Deputy or Deputies, do forthwith repair to *Stratford* upon *Avon* in *Warwick ſhire*, and bring thence the Body of Mr. *John Gerrard* ſuppoſed to be a Prieſt, and one other perſon mentioned but not named (in a *Letter* dated there the Twentieth of this inſtant *November*) and ſubſcribed *Simon Cale* Major, *John Wolmer*, in which it is recited that they were in Cuſtody there for refuſing the Oath of Allegiance, and bring them in ſafe Cuſtody to the Bar of this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

The Marqueſs of Winton *Reported, that a Prieſt was brought before the Committee for Examinations, who pretended that he belonged to the* Spaniſh *Ambaſſador, who their Lordſhips are Informed hath Forty Eight Prieſts belonging to him, therefore their Lordſhips deſire that the* Spaniſh *Ambaſſador may be moved to give a liſt of his Chaplains to this Houſe.*

Hereupon it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to deſire every Forreign Miniſter now reſiding here, to give to His Majeſty a Liſt of the number and names of ſuch Prieſts as he ſhall own to be his Chaplains, and the places of their abode.

A Meſſage was ſent to the Houſe of Commons by Sir *Samuel Clerk*, and Sir *John Hoskins*, to deſire a preſent Conference in the Painted Chamber concerning the Addreſs concerning the *Militia*.

The Lord Privy Seal Reported, that the Mannagers of this conference have delivered what they were commanded to the Commons, and told them their Lordſhips will be ready to joyn with them ſo far as the Law in this caſe extends.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords Committees for Examining Perſons and *Papers*, concerning the horrid deſign againſt His Majeſties Perſon and Government, are hereby appointed to

ill consequence to him this Deponent, and that the Devil had not rewarded his Servants well this bout.

Capt. & jurat die & Anno pred. coram me Winchester. *Joseph Francklyn.*

Upon reading the Examination of *Joseph Francklyn* taken by the Marquess of *Winton*, and by his Lordship reported to the House concerning a *Letter*, and [illegible] passages betwixt the said *Joseph Francklyn* and Mr. *Cuthbert Brown* Chaplain, and *Richard Revel* Footman to the Duke of *Norfolk* concerning the said *Letter*, It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Joseph Francklyn*, and *Christopher Mitchel*, and *Anne* his Wife, and such other Persons as the said *Francklyn* can produce, who heard the said passages be and are hereby required to appear at the Bar of this House, on *Monday* the Five and Twentieth day of this instant *November* at Ten of the Clock in the Forenoon, at which time also the said *Cuthbert Browne*, and *Richard Revel* are also required to attend this House.

The Earl of *Essex* Reported, that the Lords Committees have collected some of the most principal *Papers* of Mr. *Coleman*, and have delivered them to Mr. Attorney General to be made use of at the Tryal of Mr. *Coleman*, also his Lordship Reported, that the Committee desires that they may have liberty to peruse the *Papers* and *Letters* of those Lords who are in the *Tower*.

Hereupon It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords Committees appointed to Examine Persons and *Papers*, concerning the horrid design against His Majesties Person and Government, be and are hereby impowered to peruse all the *Papers* and writings, of the Earl of *Powis*, Lord *Arundel* of *Warder*, and Lord *Bellasis* Prisoners in the *Tower*, which being seized are now in the Custody of the Clerk of the Parliaments, and to give the House an account thereof

His Lordship further Reported, that *William Bedloe* had been with the Lords Committees, and that the name of *Charles Milbourn* for *George Milbourn* is mistaken. Ordered that the said *George Milbourn* be Attached.

Ordered, that the Lord Viscount *Hallifax* is added to the Committee for inspecting Mr. *Colemans* Letters.

A *Letter* of one *John Zeal* a Prisoner in *Newgate*, formerly a Page to Sir *Francis Ratcliffe* read, wherein he chargeth Sir *Francis Ratcliffe* for speaking dangerous words some years ago.

A *Letter* of *John Wolmer* written to Mr. *Harris* is read, informing that at *Stratford* upon *Avon* two persons were staid there, who having been offered to take the Oath of Allegiance refused to take it, one his name is *John Gerard* supposed to be a Priest and had come from the Lord *Carington*'s house, the name of the other they cannot learn.

Ordered, that this *Letter* is referred to the Lords Committees for Examinations to be made use of as they shall see cause.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Armes attending this House or his Deputy or Deputies, do forthwith repair to *Stratford* upon *Avon* in *Warwick shire*, and bring thence the Body of Mr. *John Gerrard* supposed to be a Priest, and one other person mentioned but not named (in a *Letter* dated there the Twentieth of this instant *November*) and subscribed *Simon Cale* Major, *John Wolmer*, in which it is recited that they were in Custody there for refusing the Oath of Allegiance, and bring them in safe Custody to the Bar of this House, and this shall be a sufficient Warrant on that behalf.

The Marquess of Winton *Reported, that a Priest was brought before the Committee for Examinations, who pretended that he belonged to the* Spanish *Ambassador, who their Lordships are Informed hath Forty Eight Priests belonging to him, therefore their Lordships desire that the* Spanish *Ambassador may be moved to give a list of his Chaplains to this House.*

Hereupon it is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords with white Staves do attend His Majesty, humbly to desire him from this House, that His Majesty will be pleased to desire every Forreign Minister now residing here, to give to His Majesty a List of the number and names of such Priests as he shall own to be his Chaplains, and the places of their abode.

A Message was sent to the House of Commons by Sir *Samuel Clerk*, and Sir *John Hoskins*, to desire a present Conference in the Painted Chamber concerning the Address concerning the *Militia*.

The Lord privy Seal Reported, that the Mannagers of this conference have delivered what they were commanded to the Commons, and told them their Lordships will be ready to joyn with them so far as the Law in this case extends.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords Committees for Examining Persons and *Papers*, concerning the horrid design against His Majesties Person and Government, are hereby appointed to

prepare an Addreſs to be preſented to His Majeſty, for the ſeizing and apprehending of all Jeſuits and other Popiſh Prieſts, expreſſing the grounds and reaſons thereof at this time, and that they may be tryed, but that after that Tryal the Execution may be reſpited till His Majeſties pleaſure may be further ſignifyed, and Report the ſame to the Houſe on *Monday* Morning.

The Houſe was adjourned into a Committee to conſider of propoſals, for the better preſervation of His Majeſties Perſon and Government, and ſecuring the Proteſtant Religion, the Houſe being reſumed, the Earl of *Bridgewater* Reported, that the Committee deſires that a Bill may be prepared for the more ſpeedy conviction of Popiſh Recuſants, that the Refuſal upon tender of the Declaration may be a conviction, hereupon the Houſe Ordered, that the Lord Chief Juſtice of the Court of Common Pleas, be and is hereby appointed to prepare a Bill for the more ſpeedy conviction of Popiſh Recuſants (*viz.*) that the refuſal upon tender of the Declaration recited in the Bill now depending in Parliament, Entituled an Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament, ſhall be a conviction, and that every Juſtice of Peace be impowered to tender the ſaid Declaration.

A Meſſage was brought from the Houſe of Commons by Sir *William Jennings* and others, to deſire a Conference concerning the Amendments ſent from their Lordſhips in the Bill, for the more effectual preſerving the Perſon of His Majeſty *&c.*

Hodie tertia vice lecta eſt Billa, an Act requiring the Perſons therein named to render themſelves to Juſtice, and in default thereof to attaint them of High Treaſon.

The Queſtion being put whether this Bill ſhall paſs, it was Reſolved in the Affirmative.

A Meſſage was ſent to the Houſe of Commons by Sir *Samuel Clerk* and Sir *John Hoskins*, to deliver the Bill requiring the Perſons therein named to render themſelves to Juſtice, and in default thereof to attaint them of High Treaſon, to which the Lords deſire the concurrence of the Houſe of Commons.

The Houſe was adjourned during pleaſure and the Lords went to the conference, which being ended the Houſe was reſumed, then the Lord Chancellor Reported the effect of the conference, which was, that the Houſe of Commons agrees to the proviſo added by their Lordſhips to the Bill, for the more effectual preſerving of His Majeſties Perſon and Government, but as to the Amendments concerning the Servants of Her Majeſty

Majeſty and the Dutcheſs, they do not agree for theſe Reaſons following.

That both Houſes having declared by their Vote, that the Kings Perſon is at this time in danger from Popiſh Conſpiracies, it would not only be moſt dangerous to His Majeſties Perſon, but inconſiſtent with ſuch a Declaration to admit any Popiſh Recuſants to have Reſidance in his Pallaces and ſuch familiar acceſs into His Majeſties preſence.

That all Popiſh Recuſants being by His Majeſties Proclamation iſſued at the deſire of both Houſes, required to depart Ten Miles from the Cities of London *and* Weſtminſter, *we cannot think it adviſable to admit them now to continue in His Majeſties Houſes, where they may be of greater danger than in any other place.*

That the deſign of this Act being for a further ſecurity againſt all Popiſh Recuſants, the Commons cannot think it reaſonable to allow any of them priviledge contrary to the Law already in being.

Your Lordſhips amendments, excepting by general words ſuch a number of Servants of the Queen and Her Royal Highneſs, it will follow that if any Peers of this Kingdom or Members of the Houſe of Commons be nominated by them, they will thereby be ſtill capable of ſitting and voting in the Houſe of Peers or Houſe of Commons, without taking the Oathes or Teſt;

As to the Amendment of the word (*Adminiſtrator*) being miſwritten, the Commons do agree.

Upon conſideration of the aboveſaid Reaſons, the Lords agreed to have a conference with the Houſe of Commons, and propoſe unto them in the Sixth *ſk* ten *l*, to leave out the words (or Queen.)

In the 7 *ſk* 1 *l*, to leave out the proviſo concerning the Queens Servants.

A Meſſage was ſent to the Houſe of Commons by Sir *Samuel Clerk* and Sir *John Hoskins*, to deſire a preſent Conference with the Houſe of Commons in the Painted Chamber, concerning the matter of the laſt Conference.

The Meſſengers return with this Anſwer, that the Commons will give a preſent conference as is deſired.

The Houſe was adjourned during pleaſure, and the Lords went to the Conference, which being ended the Houſe was reſumed.

The Lord *Mainard* Reported, that the Lords with the white Staves preſented to His Majeſty two Addreſſes from this Houſe.

1. For the Banishing of *La Columbiere* out of His Majesties Dominions.

Which His Majesty sayes he hath given Order for.

2. For some Allowance to be given to *Thomas Morgan* for his present subsistance.

His Majesty hath Ordered a piece of Money to be given him.

The Lord Chamberlain Reported, that he hath presented to His Majesty the humble Address for sending to every Forreign Minister, now residing here to give into His Majesty, a List of the number and names of such Priests as he shall own to be his Chaplains, and the places of their abode.

His Majesty sayes he will give Order for it accordingly.

Ordered, that the Serjeant at Armes attending this House, his Depury or Deputies shall forthwith Attach the Body of Mr. *George Milbourn* of *Winnerston* near *Monmouth*, and bring him in safe Custody to the Bar of this House, to answer such matters as shall be objected against him on His Majesties behalf, and for so doing this shall be a sufficient warrant.

Hodie prima vice licita est Billa, an Act for the discovery and more speedy conviction of Popish Recusants.

This day *Joseph Francklyn* and others on his behalf, as also Mr. *Cuthbert Brown* Chaplain, and *Richard Revel* Footman to the Duke of *Norfolk* being summoned to attend, were called in.

Joseph Francklyn sworn, said, he did find a *Letter* in *Chancery lane* on *Thursday* Fortnight in the Morning directed to the Duke of *Norfolk*, and did open it at a *Coffee house* in *Holborn*, and afterwards the same day carryed it to the Privy Councel, and that that night one who said he was the Duke of *Norfolks* Servant came to him by the *Falcon* on the Bank-side, and told him, that the Duke of *Norfolks* Chaplain would speak with him at the *Falcon* Tavern, but he refusing to go, the said person told him he must go and called for a Constable, but then Mr. *Brown* the Chaplain came to his House, and asked whether he found the said *Letter*, and carryed it to the Councel, he owned it, *Upon which the said* Brown *told him, it was ill done to shew it in a* Coffee-house, *it should be of ill consequence to him, and that the Devil had not befriended his Servants this bout.*

Christopher Mitchel and *Anne* his Wife, sworn, averred they heard the said words uttered by Mr. *Brown* the Chaplain.

Then *Richard Revel* being Examined, said he went to *Joseph Francklyn* by the Duke of *Norfolks* direction, to inquire about the *Letter* (but by Order of the Duke to use him with all

all kind words), and not to give any threatning Language, and told him the Dukes Chaplain would ſpeak with him at the *Falcon* Tavern, but *Francklyn* refuſing to go without an Officer he offered to call for a Conſtable, but before any came he called Mr. *Brown*.

Then *Cuthbert Brown* being Examined ſaid, that having occaſion to go to *Southwark*, the Duke defired him to ſpeak with *Francklyn* about the *Letter*, but remembers not that the Duke gave him any particular Inſtructions.

That coming to *Francklyn*, he asked him if he was the man that found the *Letter* directed to the Duke of *Norfolk*, and delivered it to the Councel, *Francklyn* owned it, upon which he told him it might be of ill conſequence to the Duke and not *Francklyn*, and denyes the words *the Devil has not befriended his Servants this bout*.

Upon conſideration had thereof the ſaid *Cuthbert Brown* and *Richard Revel* being called in again, the Lord Chancellor by directions of the Houſe, told them, that they had overacted their parts in this buſineſs, and not behaved themſelves with that diſcretion that became them, and warned them to be more cautious for the future and ſo they were diſcharged.

Upon Report made by the Marqueſs of *Winton* from the Lords Committees, appointed to Examine Perſons and *Papers* for diſcovery of the horrid deſign againſt His Majeſties Perſon and Government, and their Lordſhips have peruſed all the *Papers* and *Writings* of the Lord *Bellaſis* now Priſoner in the *Tower*, which being ſeized, were by Order of this Houſe brought and delivered into the Cuſtody of the Clerk of the Parliaments, and find not amongſt them any *Papers* and *Writings*, but only ſuch as are of private concernment. It is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Papers* and *Writings*, may be delivered to the Lord *Bellaſis*, or ſuch Perſon or Perſons as his Lordſhip ſhall appoint to receive the ſame, and for ſo doing this ſhall be a ſufficient warrant.

The Serjeant at Armes gave the Houſe an account, of what Priſoners are in his Cuſtody Attached by Order of this Houſe, it is Ordered that they be brought to the Bar, at ſuch time as *William Bedloe* may be then preſent.

Die

Die Martis 26. die Novembris 1678.

THe Marqueſs of *Winton* Reported, from the Lords Committees appointed to Examine Perſons and *Papers* concerning the horrid deſign againſt His Majeſties Perſon and Government, the depoſition of *William Smith* as followeth.

William Smith Wine-cooper being Sworn and Examined, ſaith, that Yeſterday was ſevennight betwixt Eleven and Twelve of the Clock, Mr. *James Hoare* of the Mint in the *Tower*, very importunately held this Deponent by the hand, and would make him go to Dinner with him to a Friends Houſe of his who lives in *Goodmans Fields*, and this Deponent ſaith, that about three or four of the Clock after Dinner, the ſaid Mr. *Hoare* took this Deponent again by the hand, and moſt importunately deſired this Deponent, to go along with him to Mr. *Thomas Beacons* houſe a Merchant in *Headen-yard* in the *Minories*, and when this Deponent came firſt into the Houſe there were about Seven or Eight men going out of a Room, when this Deponent and Mr. *Hoare* came into it, who went preſently out of it, only Mr. *Beacon* ſtayed and entertained this Deponent, and Mr. *Hoare* very kindly, where they had brought two Bottles of Wine, and both the ſaid Mr. *Beacon* and Mr. *Hoare* did return every glaſs of Wine to this Deponent, with theſe words, *confuſion to the Pope, and did both of them expreſs a very great kindneſs unto this Deponent, and Mr.* Hoare *did often kiſs him, and taking him by the hand ſaid* (Will) *thou art a very honeſt man, I dare truſt thee with any thing, and told this Deponent, that he had Two Hundred Blunderbuſſes and other Armes at his Houſe already.* This Deponent then being willing to go away, and as he was going to the Door he found it locked, and the ſaid Mr. *Beacon* pretended it was out of kindneſs to keep him there, but this deponent did obſerve the ſaid Mr. *Beacon* and *Hoare* to whiſper often together, and afterwards Mr. *Hoare* ſaid *there is one of the Hereticks*, whereupon this Deponent deſired earneſtly to go forth, and begged of him for Gods ſake to let him goe, but Mr. *Beacon* told this Deponent he ſhould go and ſee his houſe firſt, in the mean time Mr. *Hoare* ſlipped forth of the Rome and after Mr. *Hoare* was gone, Mr. *Beacon* carried this Deponent to a Door of a Rome, and being opened, *this Deponent ſaw about a dozen men as he believeth all in diſguiſe, ſtanding in a cluſter and whiſpering together*, Mr. Beacon *then did thruſt this Deponent into them ſaying, there is a Heritick for you, whereupon this Deponent*

with

with being great earneſtneſs upon his knees that they would let him go, and after a little time they did let this Deponent go, but told him if he talk of this or make any Diſcovery of it, he this Deponent ſhould not live, and this Deponent further ſaith, that ſeveral times ſince, Divers Perſons have come to his houſe, and told him that ſuch and ſuch Perſons have been at Taverns to ſpeak with him, but this Deponent being afraid to go himſelf hath ſent ſome body to inquire who they were, and could never meet with any, that this Deponents doth apprehend it was a Deſign only to Trappan him forth and do him miſchief. William Smith.

Capt. & Jurat. 26. Novembris 1678.

Coram me Winchelſter.

whereupon the Houſe made the enſuing Order.

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Arms attending this Houſe his Deputy or Deputies be and is hereby required immediately to repair to the houſe of Mr. *Beacon* a Merchant in the *Minories*, and to the houſe or lodging of Mr. *James Hoare* the younger in the *Tower*, and make a diligent ſearch, for Arms in the ſaid places, and ſeize and ſecure ſuch Arms as he or they ſhall find there and give this Houſe an account thereof, and this ſhall be a ſufficient Warrant on that behalf.

Then the Lord Treaſurer gave the Houſe an account of the order directed to ſome of the Deputy Lieutenants of the *North* and *Weſt* Ridings of *York*-ſhire in Informations, which his Lordſhip hath received here, which are read, viz.

The information of *Thomas Scott* of *North Oaram* in the County of *York Clothier*, taken upon Oath the 20*th*. Day of *November* 1678. Before us, three of His Majeſties Juſtices of the Peace, for the *Weſt* Riding of the County aforeſaid.

Saith that being at *Dighton* neer *Hothers* Field in the *Weſt* Riding aforeſaid, on the the 3*d*. of *November* Inſtant, and going out of the houſe, where he then was, between the hours of *Ten* & *Eleaven* of the Clock in the Night, there paſſed Men riding by him towards *Leedes* three and three a Breſt, to the Number of 200 and upwards to the beſt of his judgment, and how many more there might be in company this informant cannot tell, in regard they were going faſt by as he came out of the Houſe, but whether they were Armed or No this Deponent cannot depoſe it, being then very dark, and this informant further ſaith, that he hath been told, that they were ſeen by ſeveral Perſons in that Town beſides himſelf that Night, and that they went towards *Leedes*. *Thomas Scott.*

Henry Fairfax.
John. Kayes.
John Ramſden.

The

The information of *Thomas Palmer* of *Hunſlett* Hall, and *Edward Walmſley* his Nephew of the ſame, taken upon Oath before us the 22*th.* Day of *November* 1678.

Theſe informants ſay that upon *Sunday* in the Night (towards morning) being the third Day of this Inſtant *November* as they lay in their Beds (their houſe ſtanding very neer the Road) they heard a great Noiſe of Horſe paſſing by, whereupon the ſaid *Thomas Palmer* roſe and looked out of the Window, but it was ſo dark that he could ſee nothing, nor here any man ſpeak or make the leaſt noiſe, and theſe informants both of them ſay, *that there was ſo great a Number of Horſe, that they were about half an hour in paſſing by, and they perceived as they paſſed by (they going ſo very near the Window) that they were not ordinary horſes, ſuch as Pack horſes and thoſe that uſually paſs on that Road, but luſty, able and well ſpirited horſes as they thought by the ſtomping and noiſe of their feet, and further ſaith not.*

Thomas Palmer,
Edward Walmſley.

Capt Coram,
Henry Fairfax.
Iohn Kayes.
Iohn Ramſden.

Then the Duke of *Monmouth* gave the Houſe an account of an information he had received out of *Buckingham* ſhire, which was likewiſe read as followeth.

The infomation of *Thomas White* of *Aſton Clinton* Huſband-man, taken upon Oath before me *Georg Ruſſel* one of His Majeſties Juſtices of the Peace, for the County of *Buckingham* ſhire *November* the 24 *th.* 1678.

That upon *Wedneſday* the 20*th.* Day of this inſtant *November* 1678. the ſaid *Thomas White* and *Henry Dancer* of the aforeſaid *Aſton Clinton*, being about the houre of ſeven a clock in the Night a Birding in the Meadow called *Chicken* Mead, in the Pariſh of *Aſton Clinton*, *the ſaid* Thomas White *did diſcover coming towards them over the ſaid Meadow (the Moon then being about half an hour high) ſeveral men on Horſeback, and thereupon called to his Companion* Henry Dancer *to look upon them, which the ſaid* White *and* Dancer *both did whilſt the greateſt part of them paſſed by, and the ſaid* White *ſaid that they marched in a breſt together, thoſe that came formoſt, and immediately after them one other Ranck within four or five yards and ſo one ranck or range after another with great Silence, till they were all gone by, which they judged to be between Sixty and Eighty*, and when they were gone about three Quarters of a Furlong beyond the ſaid *White* and *Dancer*, they made all a ſtop together in the ſaid Mead, and the ſaid *White* and *Dancer* being then

then afraid got through a hedge, and ſo went away from the ſaid place leaving them there, not knowing what they were, nor whence they came, and the Wind being ſomthing high could not hear any thing they ſaid.

The mark of *Thomas White*

The above ſaid *Thomas White* and *Henry Dancer* are both of them reputed by their Neighbours who are well known to me, to be ſober, honeſt men, and not likely to cauſe ary ſuch ſtory if it were not true, and is therefore believed by all that have heard it.

George Ruſſell.

Then the Duke of *Monmouth* let the Houſe know that His Majeſty hath ſeen this Examination, and hath given order to ſend out ſome horſe to inquire after thoſe perſons.

Upon Report made by the E. of *Eſſex*, from the Lords Committees appointed to Examine Perſons & *Papers*, for the Diſcovery of the Horrid Deſign againſt His Majeſties Perſon & Government, that their Lordſhips have peruſed all the *Papers* and *Writings* of the Earl of *Powis* now a Priſoner in the *Tower*, which being ſeized were by order of this Houſe brought and delivered into the Cuſtody of the Clerk of the Parliament, and find not any *Papers* or *Writings* in the leaſt relating to the horrid deſign, they being *Papers* meerly of private Concern, it is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Papers* and *Writings* may be delivered to the Earl of *Powis*, or ſuch Perſon or Perſons as his Lordſhip ſhall appoint to receive the ſame, and for ſo doing this ſhall be a ſufficient Warrant.

A Meſſage was brought from the Houſe of Commons by Mr. *Booth* and others, who brought up a Bill intituled an Act for preſerving the Peace of the Kingdom, by raiſing the *Militia* and continuing them in Duty for 42 Dayes.

To which the Commons deſire their Lordſhips concurrence.

2 To deſire a Conference touching the matter of the late Conference.

The anſwer returned was, that the Lords will give a Conference as is deſired, and appoint the ſame to be preſently in the painted Chamber.

Hodie prima vice lecta eſt Billa an Act for preſerving the Peace of the Kingdom, by raiſing the *Militia* and continuing them in Duty for 42 Dayes

The ſame Lords as mannaged the laſt Conference are to be Reporters of this.

The Houſe was adjourned during pleaſure, and the Lords went to the Conference, which being ended the Houſe was reſumed.

The

The Lord Chancellor Reported the Effect of the Conference as followeth.

That the Houſe of Commons do not agree with their Lordſhips in that matter, nor form as was delivered at the laſt Conference and that for theſe reaſons,

That it is contrary to the conſtant method and proceedings in Parliament, to ſtrike out any thing in a Bill, which hath been fully agreed and paſſed by both Houſes, and it would make the work endleſs, and might alſo be of dangerous conſequence, if that method ſhould be deſerted and changed.

In the amendments propoſed to the Bill by your Lordſhips, to which the Commons have diſagreed the Number of the Queens Servants to be Excepted out of the act was limited, but by leaving the Queens name out of the Bill, She may have them without number, ſo that what is now Offered is worſe than what the Commons have already diſagreed to, & conſequently hath not the nature of an expedient.

That by experience it is found, that the act intituled an act for preventing Dangers, which may happen from *Popiſh* Recuſants proved ineffectual to remove Papiſts from Court, by reaſon there was no expreſs mention'd of the Queens Servants.

The Scope of the Bill relateth not onely to remove Papiſts out of both Houſes of Parliament, but alſo from the Court, as appeareth both by the preamble and body of the Bill, and the Danger of His Majeſty may reaſonably be ſuppoſed to be chiefly in his Court and the ſafety of his perſon, the Commons think ought more to be conſidered, then any reſpects to any perſon whatſoever.

Therefore the Commons ſay they cannot agree with your Lordſhips, neither in the expedient nor amendments.

The Lords taking the matter of the aforeſaid Conference into conſideration, and well weighing what great concernment this Bill was of, came to theſe Reſolutions following.

It is agreed to inſiſt on that amendment (or hereafter ſhall be)

The queſtion being put whether any number of men Servants, that are the Kings Subjects and *Roman Catholicks* ſhall be inſiſted upon to be the Queens Servants, and be part of the Bill, it was Reſolved in the Negative.

Agreed to inſiſt that the Queen ſhall have Nine women Servants *Roman Catholicks.*

Agreed to inſiſt that the Dutcheſs of *York* ſhall have Five women Servants *Roman Catholicks.*

And

And theſe expedients to be propoſed at a Conference with the Houſe of Commons and Offered as new Amendments, and the old Amendments to be laid aſide.

Ordered, To have a Conference with the Houſe of Commons this Afternoon.

Die Martis 26 Novembris 1678. Poſt Meridiem.

Hodie ſecunda vice lecta eſt Billa, an Act for the better diſcovery and ſpeedier conviction of *Popiſh* Recuſants.

Ordered, that the conſideration of this Bill is committed to the ſame Committee appointed, for the Bill concerning the *Militia*.

The Serjeant at Arms gave the Houſe this account, that he hath ſearched the houſes of Mr. *James Hoare* and Mr. *Beacon*, but can find no Arms in neither of their houſes.

The Houſe was adjourned into a Committee to conſider of the propoſals for the preſervation of the Kings Perſon and Government, and ſecuring the Proteſtant Religion.

The Lord Chancellor Reported, that he had delivered to the Houſe of Commons at this conference the new Amendments, made by their Lordſhips concerning the Servants of Her Majeſty and Her Royal Highneſs, which the Commons will conſider of.

Ordered, *that the Lords Spiritual and Temporal in Parliament Aſſembled, that the Juſtices of the Peace, Conſtables Church-wardens and other Pariſh Officers, entruſted with the execution of His Majeſties late Proclamation, commanding all Perſons being* Popiſh *Recuſants or ſo Reputed, to depart from the Cities of* London *and* Weſtminſter *and all other places within Ten Miles of the ſame, be and are hereby ſtrictly required to give a ſpeedy account to this Houſe what they have done in perſuance thereof, and particularly that thoſe therein concerned by this day ſevennight give an account, of the Names of what Papiſts as well Houſe-holders as Inmates and Lodgers are now in* London, Weſtminſter *and* Southwark, *and the reſpective liberties thereof, and of what Nations the ſaid Papiſts are.*

Die Mercurii 27. Novembris 1678.

THE Earl of *Eſſex* Reported, that the Committee have peruſed the *Letters* directed to *John Grove*, and find nothing therein worthy to have notice taken thereof, therefore it is Ordered, that the ſaid *Letters* be delivered according to the Direction.

The Earl of *Eſſex* Reported, that the Committee have conſidered the Bill for preſerving the peace of the Kingdom by raiſing the *Militia*, and do think it fit to paſs as it is without any amendments.

Hodie tertia vice licita eſt Billa, an Act for preſerving the Peace of the Kingdom by raiſing the *Militia*, and continuing them in duty for two and forty days.

The Queſtion being put whether this Bill ſhall paſs, It was reſolved in the Affirmative.

The Earl of *Eſſex* Reported, that the Committee have conſidered the Bill for better conviction of Papiſts, and do think it fit to paſs with ſome Amendments, which they have made and being read twice were agreed to, then ſome other Amendments were offered to the Houſe, which being read were agreed to, and the Bill Ordered to be Engroſſed with theſe ſeveral Amendments.

The Lord Marqueſs of *Winton* Reported, that the Committee for Examinations ſent for Mr. *Beacon* Merchant in *Headon Court* in the *Minories*, to attend them the laſt Night, and he not coming then was ſummoned again this Morning at Nine of the Clock, but he doth not appear, It is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Armes attending this Houſe his Deputy or Deputies, do forthwith attach the Body of Mr. *Beacon* a Merchant in *Headon Court* in the *Minories*, and bring him in ſafe Cuſtody to the Bar of this Houſe to anſwer ſuch matters as ſhall be objected againſt him, and this ſhall be a ſufficient Warrant on that behalf.

To Sir *George Charnock* Knight Serjeant at Armes attending this Houſe, his Deputy and Deputies, and to all His Majeſties Miniſters and Officers Civil and Military to be aiding and aſſiſting in this ſervice.

Ordered, that Dr. *Lower* and Dr. *Warner*, be and are hereby appointed to viſit Mr. *White alias Whitebread*, being ſick near *Wild-houſe*, and give this Houſe an account to morrow Morning in what condition of health they find him.

Upon

Upon the Information of *William Sorocoale* and *Iſaac Baxter* Conſtable, that a Warrant being iſſued by the Lord Marqueſs of *Winton*, as a Juſtice of Peace to apprehend a ſuſpitious Perſon, Mr. *Hoare* a Juſtice of the Peace came with many men in his Company, and being drunk ſtroak the Conſtable, and abuſed him in words in the Execution of his Office, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Armes attending this Houſe his Deputy or Deputies, do forthwith Attach the Body of Mr. *James Hoare* the younger, and bring him to the Bar of this Houſe in ſafe Cuſtody to anſwer ſuch matters as there ſhall be objected againſt him, and this ſhall be a ſufficient Warrant in that behalf.

To Sir George Charnock *Knight Serjeant at Armes attending this Houſe his Deputy or Deputies.*

The Houſe being informed of a Quarrel which happened lately between the Earl of *Pembrook* and the Earl of *Dorſet*, it is Ordered that the Gentleman Uſher of the Black Rod do give notice to the Earl of *Pembrook* that he attend this Houſe preſently, and that Mr. *Loyd* and the Footman be ſummoned to appear preſently to give this Houſe an account thereof.

In the mean time the Earl of *Dorſet* gave the Houſe an account, that on *Wedneſday* laſt late at Night the Earl of *Pembrook* ſent one Mr. *Loyd*, who told him that the Earl of *Pembrook* deſired him to ſpeak with him at Mr. *Lockets houſe*, the Earl of *Dorſet* asked whether the Earl of *Pembrook* was ſober, and was anſwered yes, and when his Lordſhip came he found the Earl of *Pembrook* in a low Room, who told him that he had done him an injury, therefore he would Fight him, the Earl of *Dorſet* asked him where and when, the Earl of *Pembrook* told him now, in this Room, and then laid violent hands upon him, and the Earl of *Pembrooks* Footman took away his Sword from his ſide, but Mr. *Loyd* cloſed in, and parted them and ſo his Lordſhip got looſe from him.

The Earl of *Pembrook* being come ſtanding in his place, the Lord Chancellor told him what an account the Earl of *Dorſet* had given to the Houſe, the Earl of *Pembrook* ſaid he remembred no ſuch thing, but confeſſed he deſired to ſpeak with the Earl of *Dorſet* about buſineſs, and had no intent of Fighting, and that the Earl of *Dorſet* had two men with him, and that his own Servant took his Sword away, the Houſe directed the Earl of *Dorſet* to relate again in the preſence of the Earl of *Pembrook* what paſſed between them. Then both theſe Lords withdrew themſelves.

The Houſe taking this buſineſs into conſideration, and how much

much the honor of this Houſe was concerned therein, made theſe Orders following.

For the better preſervation of the Peace, and preventing any miſchief which may happen between the Earl of *Pembrook* and the Earl of *Dorſet*, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Earl of *Pembrook* and the Earl of *Dorſet*, be and are hereby confined to their reſpective Houſes or Lodgings till further Order, and that they or either of them ſend not any Meſſage or Write to the other during their confinement.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. *Loyd* an Officer in Sir *Charles Wheelers* Regiment, and the Footman who waited on the Earl of *Pembrook*, and the two Footmen who waited on the Earl of *Dorſet* to *Lockets* Ordinary on *Monday* Night laſt, and *Robin* the waiter at the ſaid Ordinary, be and are hereby required to appear at the Bar of this Houſe to morrow at ten of the Clock in the Forenoon.

Then the Earl of *Pembrook*, and the Earl of *Dorſet* were called again to their places, and the Lord Chancellor declared to them what the Houſe had Ordered, and laid on them the Commands of the Houſe not to reſent any thing further concerning this buſineſs.

The Houſe was adjourned into a Committee, to conſider what advice to give His Majeſty concerning the continuing the *Engliſh* Forces in *Flanders*.

The Houſe was reſumed.

A Meſſage was brought from the Houſe of Commons by Mr. *Robert Spencer* and others, to deſire a conference concerning the Subject matter of the laſt conference.

The Anſwer returned was, that the Lords agree to a conference and appoints the ſame to be preſently in the Painted Chamber.

The ſame Lords who mannaged the former conference are appointed to Report this conference.

The Houſe was adjourned during pleaſure, and the Lords went to the conference, which being ended, the Houſe was Reſumed.

Then the Lord Chancellor Reported the effect of the conference.

That the Commons agree with the Lords in the firſt amendment, with the Addition of theſe words *viz.* (not exceeding Nine in number.)

The

The Commons do agree with the Lords in the firſt Paragraph of the ſecond Amendment, for reducing the number of Women Servants of the Queen to Nine.

But as to the allowing of Five Women Servants to her Royal Highneſs the Dutcheſs of *York*, the Commons do not agree.

Ordered, that this Houſe agrees with the Commons in the Amendments made by them.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwyn* and Sir *John Hoskins*. 1. To acquaint them that the Lords do agree to the Amendments offered at the laſt conference in the Bill, concerning the preſervation of the Kings Perſon.

2. To let them know, that the Lords have paſſed the Bill for preſerving the Peace of the Kingdom by raiſing the *Militia*, and continuing them in duty for two and Forty days.

3. To acquaint them, that the Lords do intend to ſend to His Majeſty to ſignify to him, that the aforeſaid Bills are ready for his Royal Aſſent.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to acquaint him from this Houſe, that the Bill entituled an Act for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament, and the Bill entituled an Act for the preſerving the Peace of the Kingdom by raiſing the *Militia*, and continuing them in duty for two and Forty days are ready for His Majeſties Royal aſſent, and are Bills which require Expedition.

Die Jovis 28. *Novembris* 1678.

H*Odie tertia vice licita eſt Billa*, an Act for the better diſcovery and more ſpeedy conviction of Papiſts.

The Queſtion being put whether this Bill ſhall paſs, it was reſolved in the Affirmative.

A Meſſage was ſent to the Houſe of Commons by Sir *William Beverſham* and Sir *Samuel Clerk*, to deliver them the Bill for

for the better discovery and the more speedy conviction of Papists, and desire there concurrence thereunto.

The Lord Treasurer Reported, that the Lords with white Staves have acquainted His Majesty, that both Houses have passed two Bills ready for his Royal Assent.

The Earl of *Essix* Reported an Information given to the Committee for Examinations by Mr. *Oates*, which was read (*viz*)

The Lord Marques of *Winton* acquainted the Committee, that being in the Court of *Kings bench* at Mr. *Colemans* Tryal, and happening to stand near Mr. *Oates*, his Lordship asked him these two Questions.

1. Whether his *Papers* were restored.
2. Whether he was under restraint.

To which he answered that he had his *Papers* returned to him, but he was under restraint and desired his Lordship, that he would be pleased to acquaint the Committee, that he had something material to say to them, of all which the Lord Marques informed the Committee, and their Lordships thereupon sent for him, who confirmed all this upon Oath, and upon the same Oath declared that the Lord Marques then asked those and no other questions of him, and further saith, that he believes all the *Papers* are returned unto him, and as to his restraint that both his own Servants were put away, that he is permitted to speak with no body not so much as his own Father, unless a Clerk of the Councel be by to hear what they say, that he is permitted to write no *Letters* nor *Billets* to any one, nor to receive any *Letters* but what the King shall first see, that his Ward coming to see him had his Pockets searched and his Papers taken forth, and his own Servants Pockets were searched and put from him, and the Key of his Chamber taken from his Servant, *That on the last fast day he desired to speak with the King privately, but His Majesty was pleased to command him to do it before the two Secretaries, and that then he did decline to make a perfect Narrative because Secretary* Williamson *was present. That some time after Mrs.* Elliot *came to him to let him know that the King would speak privately with him, and accordingly he attended the King on* Sunday *last Mr. Secretary* Coventry *being present, where he made a full Narrative in writing, Mr. Secretary* Coventry *then gave him his Oath to the truth of the same.*

That Mr. *Oates* desired the Committee that they would be pleased to move the Lords House, that he may be freed from his restraint in *Whitehall*, and from his being in that place, and

have

have the like liberty of other His Majeſties Subjects, he giving ſuch ſecurity as the Law requires for the proſecution of his Evidence.

That he further deſires ſome ſupply of Money, in regard he was out of purſe about Eighty Pound on his own account about this buſineſs, ſince the Eleventh of *Auguſt* laſt.

That there hath been but one Hundred and Twenty Pound as yet paid him, and that he is at preſent in great want.

That he deſireth a Copy of his Depoſitions, which he gave into the Councel on *Monday* and ſigned on *Thurſday* laſt.

That he deſireth his pardon may be renewed to this day.

After ſome debate, it is Ordered, that this Debate is adjourned to the Afternoon.

A Meſſage was brought from the Houſe of Commons by the Lord *Cavendiſh*, to let their Lordſhips know that the Houſe of Commons intend to ſit this Afternoon, upon matters highly concerning the Kings Majeſty and his Government; and they deſire the Lords would ſit likewiſe.

The Anſwer returned is that this Houſe will ſit this Afternoon.

Die Jovis 28. *Novembris* 1678. *Poſt Meridiem.*

THe Houſe Reſumed the Debate concerning Mr. *Oates*.

The Earl of *Clarendon* being ſpeaking in the debate the Houſe was in concerning *Titus Oates*, took notice that the Marqueſs of *Winton* ſaid, he lyes, he lyes, of which words the Houſe requiring the Marqueſs of *Winton* to give an account, the Marqueſs of *Winton* denyes not the words but begs the pardon of the Houſe, that he was talking of other things while the Houſe was in debate, and ſaid he did not intend the words againſt the Earl of *Clarendon*, and if he have offended the Houſe, he is ſorry for it, and begs pardon for it.

Ordered, that the Marqueſs of *Winton* and the Earl of *Clarendon* do not go out of the Houſe until the Houſe be adjourned.

A meſſage brought from the Houſe of Commons by Mr. *Thynn* and others, to deſire a conference about matters concerning the ſafety of the Kings Perſon and his Government.

The Anſwer returned was, that the Lords will give a conference as is deſired, and appoint the ſame to be preſently in the Painted Chamber.

The Lord Chancellour reported the effect of the conference that upon hearing the Teſtimony of Mr. *Oates*, and *William Bedloe*, they are in amazement, when they conſider in what danger the Perſon of the King is, and his Government; whereupon they have prepared an Addreſs to be preſented to His Majeſty, to which they deſire their Lordſhips concurrence.

The ſaid Addreſs was Read and Ordered to be taken into conſideration to morrow morning.

Ordered, That *Titus Oates*, and *William Bedloe* do attend this Houſe to morrow, at Nine of the Clock in the Forenoon.

Ordered, That the Clerk of His Majeſties Privy Councel, in whoſe cuſtody the Depoſitions lately taken at the Councel Board are, which concerns the Queens Majeſty be, and is hereby appointed to bring the ſaid Depoſitions before this Houſe to morrow at Nine of the Clock in the Forenoon.

Ordered, That all the Judges be preſent in this Houſe to morrow at Nine of the Clock in the Forenoon.

Die Veneris 29. Novembris 1678.

SIr *John Nicholas* delivered four Papers at the Table, *viz.*

1. The Examination of *Titus Oates* taken by Mr. Secretary *Coventry* 24 *November* 1678. Signed *Titus Oates.*

2. The further Examinations of *Titus Oates* taken before the Councel 25 and 26 of *November* 1678.

3. The Report of the Earl of *Bridgewater*, and Lord *Butler* (Earl of *Oſſory*) upon view of *Sommerſet-houſe* with *Titus Oates* read in Councel 26 *November* 1678.

4. The

4. The Examination of *William Bedloe* taken before the Councel 27 *November* 1678.

Titus Oates being called in at the Bar, desired he might be heard a few words before he was sworn to speak to the main business, which being granted to him, he complained of the restraint he is under, and being debarred of the liberty of his friends coming to him, and of converting with any body in private, and that no English man ought to be restrained, unless accused by one or more witnesses, and prayed that the restraint might be taken off, that he might be enabled to give his evidence more chearfully, and that the House would be pleased to Address to the King for that purpose, and that his pardon may be renewed, because he is under misprision of Treason: To which the Lord Chancellour told him that the House would take his condition into consideration, and then being sworn, he was told by the Lord Chancellour, that the Lords have received an Address from the House of Commons in part upon evidence by him given there, and that the House expects he should give an account what that is, which hath begot such an astonishment in the House of Commons, as is expressed in the Address. Upon which, *Titus Oates* said, *That in* July *last, he saw a Letter from Sir* George Wakeman *to* Richard Ashby *alias* Thimbleby; *in this Letter he gave him an account of the proposals made for destroying the King, and declared his liking thereof, provided his Reward might be answerable, and told him the Queen consort did approve of them, which were to poyson the King; and being asked whether he knew Sir* George Wakemans *hand writing, he said, no, but* Thimbleby *told him it was Sir* George Wakemans *Letter.*

That in the same *July*, a Messenger came with a Letter to *William Hartcourt* for him, and *John Keynes*, *Basil Langworth* and *John Fenwick* to attend the Queen at *Sommerset-house*, which they accordingly did, taking him with them, *Hartcourt* telling him he must go, when they were there, having passed by the presence, he was left in an Anti-chamber, and they went into another Room, but the door not being quite shut, he heard a Woman say, *That she would no longer indure these affronts, but would revenge the Violation of her Bed, and assist in propagating the Catholick Religion.*

He saith he heard the words spoken, and when the Fathers came out, he being desirous to see the Queen, was introduced by *Langworth* or *Fenwick*, and saw no woman there but the Queen with these Fathers.

He said further, That the Queen had given several sums of money to *Corker* a Benedictine under the notion of charity, which

which he believes was only to pervert the Kings Subjects in their Religion, and that if *Irelands* papers be again ſearched, it will be found that ſeveral of them have had monney upon that account, and ſome ſo ſmall ſhares as two or three ſhillings, and that he himſelf had had ſeveral ſums. *That as a circumſtance to induce a belief that the Queen was ingaged in this buſineſs, he ſaith he ſaw* Micho's *Letter to the General of the Ieſuites, wherein was mentioned of Four thouſand at one time, and One thouſand at another time given by the Queen, which he cannot ſay upon his Oath, but believes was given upon this account.* Upon which a Complement was ſent to the Queen, Duke and Dutcheſs of Five hundred Maſſes, Six hundred and odd pair of Beads, and One thouſand one hundred and fifty Acts of mortification as a return for former favours; *Whitebread* being then Provincial, he refers himſelf to the Letter which may be found amongſt *Micho's* or *Whitebreads* Papers.

Then being asked whether this is all he had to ſay in reference to the Queen, he ſaid this is all as to matter of Information, ſaving only that he added, *that the Queen holds correſpondency with the Biſhop of* Rome, *and the General of the Society of Ieſuits.*

Then being asked whether Mrs. *Elliot* came firſt to him from the King, or he did ſend her firſt to the King about his ſpeaking with the King; he ſaid ſhe came firſt to him, and told him the King would ſpeak with him, but whether ſhe came from the King he knows not, but ſaith he never deſired her to ſpeak with the King.

He ſaith further, that when he went to the King on the 13. inſtant, the King was diſ-ſatisfied with what he ſaid, and becauſe there was one preſent, whom he believed to be an Enemy to the King and Kingdom, he did not ſpeak ſo freely as otherwiſe he ſhould have done.

Then being asked why he ſaid (the laſt time he was here) that he had no other perſon to accuſe being then required to name them (if any ſuch were) of what quality ſoever, he ſaid that he had no more to name, meaning of this Houſe before whom he then was, and that he then deſired that he might not be further preſſed to ſay any more in prejudice of the evidence he was to give.

Then being asked why he concealed this matter ſo long, he ſaid, *It was becauſe the Queen was the Wife of the Kings boſom, & he had not then acquainted the King with it, and therefore thought not fit to mention it before a publick Councel, and if therein he erred in his judgment, it was not his intention ſo to do.*

Then

Then he ſaid this Plot was deſigned in 1670. he believes it was ſo in 1666. Further he could ſwear that their own Records ſay it was deſigned upon the Kings coming in, in 1660. And being asked why he knowing this matter of the Queens being in it in *July* and *Auguſt* laſt, did not acquaint the King with it till *November*; he ſaid, that the Queen was not to act till all other practiſes failed, and that then ſhe was to have further notice. And being asked how he knew that the Queen had not notice in all this time, he ſaid it was to be done when the King ſhould take Phyſick, which was not done becauſe of his going to *New-market*, and being told that if he had mentioned this matter of Sir *George Wakemans Letter* ſo fully at the Councel as he hath done now, Sir *George* had then been taken in cuſtody. To this he ſaid, that he had been up all the *Saturday* and *Sunday* at night, and had attended the Councel ſo long, that he was ready to faint, and that the weakneſs of his body ſo confounded his memory, that he forgot to mention that Letter.

Then being commanded to withdraw, Mrs. *Elliot* was ſent for.

Then William Bedloe *being called in, and Sworn, is told of the occaſion of his coming hither upon the Addreſs now brought up from the Houſe of Commons, and that his whole knowledg concerning this matter is expected from him, upon which he ſaid that about the end of* April *or beginning of* May 1677. *There was a Conſult held in the Chappel Gallery at* Sommerſet-houſe. *where were preſent the Lord* Bellaſis, *Mr.* Coleman, Le-Phaire Pritchard Sheldon *and* Lathan, *and two* French Abbots *and the Queen, (and he thinks the Lord* Powis *) that he was below in the Chappel with* Walſh *and others at the ſame time, and when the Conſult was over,* Coleman *came down and told* Walſh *and him that the Queen wept much before they could bring Her to it, but the* French Abbots *by their Arguments had prevailed.*

Then he ſaid that he was afterwards diſpatched by *Coleman* with *Letters* for *France*, and that he overtook *Stapleton* at *Cambray*, for whom he had *Letters*, which *Letters Stapleton* read by a Key or Cypher which he had in his hand, that *Stapleton* (after he had read them) ſaid I am glad they have brought Her to it, our party growes Stronger and Stronger, and *Bedloe* asking who was meant by Her, *Stapleton* ſaid the Queen, and that he received this *Letter* from *Coleman* in his own houſe.

Then being aſked whether he knew the Lord *Bellaſis*, he ſaid he did, and had ſeen him at his houſe in St. *Albones Square* about

about three years since, and said he had no more to say of any Person either in or out of this house then he had already charged.

Then being asked where he stood in the Chappel, when the Consult was above, he said he came in from the water Side through the Room, where the Priests put on their Vestments, and standing below, he saw the Queen look over the Rails of the Gallery.

Then being asked whether he knew Mr. *Oates*, he said he remembred he had seen the man at *Vallidolid* about a Month before *Michaelmas* last was Twelvemoneth, but knew not that he was concerned in this Business, and that he went there by the name of *Ambrose*, and that when he was formerly asked here if he knew him, he denied it, because he knew him not by that name of *Oates*, and had not then seen him here.

Then Mrs. *Elliot* being come is called in, and sworn, and is asked whether Mr. *Oates* sent her first to the King or the King sent her first to Mr. *Oates*, she said the Lady *Gerard* of *Bromley* told her Dr. *Tong* would speak with her, who told her coming to him that Mr. *Oates* must needs speak with the King privately, and being asked whether Dr. *Tong* told her what it was about, she said that by the words he spoak, she guessed the Queen was concerned, but she did not here him say why or wherein, and that she went to the King before she spake with Mr. *Oates* at Dr. *Tongs* desire.

After this the *Papers* that were brought in from the Councel were read as followeth.

Mr. *Oates* doth inform that in the Moneth of *July* he saw a *Letter* from Sir *George Wakeman*, in which Sir *George* did assure *Richard Thimbleby* to whom it was directed, that the Queen would assist him to poyson His Sacred Majesty, and in the latter part of *July* Mr. *Oates* did wait upon *John Kaines*, *Bazil Longworth* *William Harcourt* and *John Fenwick* to *Sommerset house* where the Queen then was, and in an Anti-Chamber did here the Queen say that She would not take those affronts any longer that had been done unto her, but would revenge the violation of Her Bed, now the Deponent, being presented before Her Majesty saw no living soul there, but Her Majesty, and those fathers with whom he went to *Sommerset house*, and the Deponent did hear the Queen say that She would assist them in the propagation of *Catholick* Religion, and hath by *Corker* the Benedictine Monck given several sums of money to pervert His Majesties Subjects as Mr. *Oates* doth verily believe, and several sums have been so used by the Jesuites in Her Majesties name, and 5000. pounds hath been paid to the Jesuites by Her Majesty in order

to

to Deſtroy the Perſon of His Majeſty and ſubvert Religion and Government, as appeared by ſeveral inſtructions from the Queen to the Jeſuites, as the Jeſuites themſelves have confeſſed to Mr. *Oates*.

Titus Oates

This information was given upon Oath to me the *24th.* of *November* 1678.

November 25th. 1678. *Henry Coventry.*

Titus Oates appeared before His Majeſty in Councel, and being Sworn on the holy Evangeliſts ſaith.

That in the Moneth of *July* laſt he ſaw a *Letter* written from Sir *Georg Wakeman* to *Richard Aſhby*, *alias Thimbleby* adviſing him for his health, being troubled with the *Gout*, to take a pinte of milk in the morning and a pinte at night, and alſo 100 ſtroakes of the Pump every day while he continued at the Bath.

That in the ſame *Letter* Sir *George Wakeman* did declare his good liking of the propoſals about poyſoning the King provided good termes might be had, and added that the Queen would give her aſſiſtance in that work.

That in the ſame Moneth of *July* there came a meſſenger to have ſome of the fathers to attend at *Sommerſet-houſe*, who were *John Keines*, *William Hartcourt*, *John Fenwick*, and *Bazil Langworth*, the meſſenger was one Sir *Richard* or *Robert* he knowes not whether, being a man of middle Stature, and about Forty four or Forty five years of Age and a Nimble man.

That being at *Sommerſet houſe* they went all into an Anti-Chamber that he himſelf and ſome others (whom he remembers not) were in the Room without, but that he being curious to here what paſſed within, and the Door not being quite cloſe, liſtned and did here a womans voice, (though he ſaw not who it was) *to ſay that ſhe would no longer endure thoſe affronts but would revenge the violation of Her Bed, and would aſſiſt in taking away the Kings Life, and propagating* Catholick *Religion.*

That upon opening of the Door he deſired one of the fathers he might ſee the Queen, and being admitted he doth on his Salvation declare, that he ſaw no body but the Queen and the ſaid Fathers.

Mr. *Oates* being afterwards asked if the Queen ſaw him when he was preſented, he ſaid She did and took as much notice of him as one of her ranck uſually doth of ſuch as he was, being then in another habit then at preſent, but he thought She gave him a gratious ſmile.

That

That the Queen under the notion of Charity hath given to Mr. *Corker* ſeveral ſums of money in order to pervert His Majeſties Subjects in their Religion, and that if Mr. *Irelands* Papers be again examined it will appear that there was made diſtributions of this Charity, and ſome ſo ſmall as two or three Shillings, whereof he himſelf has had ſome ſhare.

That as a Circumſtance to induce a belief that the Queen was ingaged in this matter, he ſaies he ſaw a *Letter* which *Micho* had prepared to the General of the Jeſuites wherein was mentioned of Five thouſand pound given by Her Majeſty, Four thouſand pound at one time, and One thouſand pound at another, which he cannot ſwear was for this end but verily believes it was, and being asked how he came to ſee that *Letter*, he ſaies *Micho* the Secretary of the order conſulted with him about a *Latine* Phraiſe, and he adviſed him to put a word into the Dative caſe as being better *Latine*.

That as to the queſtion why he concealed this important matter ſo long, he anſwered that he had much diſtruſt with himſelf in his judgment about the diſcovering it, and that once he intended to diſcloſe it upon Sir *George Wakeman's* buſineſs at this Board, but was willing His Majeſty ſhould know it firſt in private.

And further upon this account and the objection that *Pickering* was imployed to have killed the King with a Piſtol and Silver Bullets, and that he had been diſciplined with twenty Stroakes for having failed (which was before the Conſult in *April* laſt as near as he remembers) it appeared the buſineſs was committed to others hands to be executed, he anſwered hereunto that the matter had been deſigned in the year 1670. and that he knew Her Majeſty (let her vertues be what they will) held correſpondence with the Biſhop of *Rome* and the General of the Jeſuites by hands of the Jeſuites here, but that She was not to Act until they judged things to be ripe, and he further ſaid that endevours were uſed that the Queen ſhould not be engaged in this buſineſs till all other meanes failed.

He further added as to the ſaid queſtion of his being ſo long ſilent in a matter of that dangerous conſequence, that he was unwilling to communicate any thing of the Queen to any publike Court, but only to the King himſelf in private, to prevent the danger She being the wife of his Boſom.

He ſaies he cannot remember the preciſe day when theſe words were ſpoken, but that it was on a week day not on a *Sunday* and a day of ſome Solemnity juſt before high Maſs.

And as to the place where he heard the ſame, he ſaies he never

never was there before nor ſince, but thinks he ſhall know the Room again if he ſees it.

Being put in mind that he had declared at the Bar of the Houſe of Peers, that he had no more to ſay againſt any Perſon of Quality, he anſwered his meaning was that he had no more againſt any of that Houſe before whom he then was, and prayed their Lordſhips to remember that he then deſired he might not be further preſſed to ſay any more to the end his Evidence might not be ſuperceded.

And being further queſtioned how it came about that he could not give an account of the preciſe day when thoſe words were ſpoken, having in other things referred himſelf to his Papers, he declared that he had not committed this thing to Writing, not daring to truſt more with it then his own Soul, yet he hopes he may recollect ſomething as to the very time and would Examine his Papers, but that they are in the cuſtody of Mr. *Thomas Howard*.

Being asked whether he knew *Bedloe* before, he ſaid 'tis like he had ſeen him but not by that name, but that if he had ſeen him 'twas in *Spain*, and as going by the name of *Williams*, but that he never knew him as concerned in this buſineſs.

Mr. *Oates* being asked how many ſeveral hands he could write, did anſwer, that he never had been taught any but had learnt of himſelf, and did write differently according as his Pen was, and that when he ſaw a hand that pleaſed him he endeavored to imitate the ſame.

Being further demanded, why he had omitted ſo material a thing againſt Sir *George Wakeman*, as the dangerous *Letter* written by him to *Thimbleby* aforementioned, for nothing appears of it in the firſt minutes taken at the Councel board againſt Sir *George Wakeman*, he anſwered that he was at that time faint and weak, and had been up two Nights together, nor could he then have ſaid that he ſaw Sir *George* write ſuch a *Letter*, but that he ſaw a *Letter* ſigned *George Wakeman* in *Thimbleby*'s Chamber.

And further reminded the Lords, that he did declare that when the Conſult was held by the Benedictines, when Sir *George* was contracted with, that he was ſick of the Stone and not there, but that he afterwards found the contents of their proceedings in their Entry Book.

Touching which it was told him, that he had indeed made mention of ſuch an Entry Book at the Bar of the Houſe of Commons, but no mention of it at this board, to which he

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replyed that it was an omiſſion occaſioned by his weakneſs at that time.

November 26th. 1678. *Titus Oates.*

Mr. Oates hearing this his Information read did further declare that it was on St. James's *Day, or a day before or after that he heard the words herein before mentioned,*

Titus Oates.

Report of the Earls of *Oſſory* and *Bridgewater* read in Councel *November* the 26th. 1678.

We went by His Majeſties directions to *Sommerſet houſe* and tooke M. *Howard* and M. *Oates* with us in the Coach, when alighted at the Door we tooke Mr. *Oates* between us and asked him, whether that time that he mentions he came into the houſe that way, and he anſwers us yes, and ſhewed us forward to the Guard-Chamber Door, that he went in there and when we were come into the Guard-Chamber he remembred that Room, and ſo he did the preſence Chamber, for he ſaid he remembred the Cannopy, but when we went into the next Room he began to doubt, ſo we went back again with him into the Guard-Chamber, and he again aſſerted his coming in that way, but we were again come into the preſence Chamber, he began to ſpeak of a paire of Staires that he had gone up but he could not find them, all the Doors were opened and we went with him through the Queens Bed-Chamber through ſeveral little Rooms and opened the Gallery Door, which he ſaid he had never ſeen before, and that thoſe little Rooms were none of them the Room he lookt for, but ſtil talkt of a paire of Staires, and when he came out again into the Room next the Bed-Chamber he ſet one of the leaves of the Door in the poſture he ſaid the Door that he ſtood at was in, but ſaid that was not the Door he had ſtood at, but ſtill talkt of a paire of Staires but could not find any. We ſhewed him the Stairs that go to the Garden by the Chappel and went with him down to the Bottom, but he ſaid they were not the Staires he meant, when we came up again to go away he again ſaid he remembred the Guard Chamber, and when we went out of the Guard-Chamber into the walk between that and the Court-Yard, we carried him to the further end of it, and went up with him at that Door, but he immediately ſaid that that was not the way he had come, in all the ſearch he made for a pair of Staires, he ſaid the Staires he ſought for were a light paire of Saires, and the Rooms they went to had great Folding Doors and were high large Rooms. *Oſſory* *F. Bridgewater.*

November 27th. 1678.

Mr.

Mr. *Bedloe* being called in before His Majeſty in Councel, and told by the Lord Chancellour that His Majeſty had given Mr. Attorney General order forthwith to prepare his pardon for all concealments of any manner of Treaſon, from the beginning of the world to the 28. day of this inſtant *November*, and that His Majeſty did deſire to be informed of all the heads of the Treaſons he can diſcover and make proof of.

And thereupon taking his Oath on the Holy Evangeliſts, ſaith, *That about the latter end of* April, *or the beginning of* May *laſt was a Twelve-moneth, about Six of the Clock in the Afternoon, there was a conſult held in the Chappel-Gallery at* Sommerſet-houſe, *where were preſent the Lord* Bellaſis, *and* (*he thinks the Lord* Powis) *Mr.* Coleman, Le Phaire Pritchard Lathan *and* Sheldon *and two* French-men *in orders, whom he took to be* Abbots, *and two other Perſons of Quality, but did not ſee their Faces, and others, and amongſt them the Queen, and further that* Coleman *and* Pritchard *told him after the Conſult that the Queen wept at what was propoſed there, but was over perſwaded to conſent by the Strength of the two* French-mens *Arguments, that he was below walking the Chappel at the time of the Conſult with others, of whom he remembers only a ſhort fat man who was the Chappel Keeper and Mr.* Walſh, *that after the Conſult the Queen came through the room where the Prieſts dreſs themſelves, and that he then obſerved ſome alteration in Her Majeſty.*

That he was afterwards diſpatcht by *Coleman* with *Letters* for *France*, and that *Le-Phaire* and *Pritchard* went with him to *Graves-end*, That he went by *Cambray* and there overtook *Stapleton* for whom he had *Letters*, which *Stapleton* read by a Key or Cypher which he had in his hand he ſtanding at a diſtance, that after *Stapleton* had read them he ſaid, well I am glad they have brought her to it, we are now better backt then ever, but this Deponent ſaith he did not know who they meant by her, and that *Stapleton* further added that they got ground every day, and that it was better and hundred Heretick Kings ſhould be deſtroyed, then that the *Catholick* Religion ſhould not be propagated, and ſays that the Contents of thoſe *Letters* were about ſubverting the Government.

This Deponent further ſaith, that he did not call any thing of this foregoing information to mind till Mr. *Coleman* did this day aver upon his Tryal, that he had never ſeen his Face before in his life, and being asked what it was that lay upon Spirits that made him deſire a further pardon, for which the Houſe of Commons had made an Addreſs to His Majeſty,

he ſaid he knew nothing of it but by ſome of the Yeoman of the Guard who attended him, but that he deſired it leaſt he might have forgotten any thing, and that by a further pardon his mind would be at more eaſe to recollect circumſtances.

The Deponent further ſaith he cannot remember any thing of ſubſtance more at preſent, and that he knowes nothing more that is conſiderable of any other perſons.

Being asked if ever he was at my Lord *Weſtmorlands*, he ſaid he was there about this time Twelvemoneths as he was going to my Lord *Brudnels*, and that my Lord *Brudnel* came thither whilſt he was there, and that he was like to have had a quarrel with him he then going by the name of *Bennet*, and that he was never at the Lord *Weſtmorlands* but once.

Being asked if he was not here in Priſon the laſt year, he ſaies he was in the *Marſhalſea* for his Brothers Debts, and that *Harcourt* and *Le-Phaire* ſent him moneys as ſoon as they came to Town that releaſed him. *William Bedloe.*

We your Majeſties moſt Loyal and Dutiful Subjects, the and Commons in Parliament Aſſembled, having received informations by ſeveral witneſſes of a moſt Deſperate and Trecherous Deſign and Conſpiracy againſt the life of your moſt Sacred Majeſty, wherein to their great Aſtoniſhment the Queen is particularly Charged and Accuſed, *In diſcharge of our Allegiance and out of our affections and care for the preſervation of your Majeſties Sacred Perſon, and conſequently of the whole Kingdom, do moſt humbly beſeech Your Majeſty that the Queen and all Her Family and all Papiſts and Reputed or Suſpected Papiſts, be forthwith removed from your Majeſties Court at* White hall.

The Houſe having heard the information of *Titus Oates* and *William Bedloe* took into conſideration the Addreſs brought from the Houſe of Commons concerning the removal of the Queens Majeſty, and Her Family from *Wite-hall*, which was read and after a long Debate.

The Queſtion being put whether to agree with the Houſe of Commons in this Addreſs, it was reſolved in the Negative.

The Houſe received an account that Dr. *Lowre* and Dr. *Warner* have viſited Mr. *White bread*, and they find that his former diſtempers have left him, and that he hath now onely a Certain Ague, and their Opinion is that he may be removed ſafe'y upon his intermitting days, hereupon it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Arms attending this Houſe, or his Deputy and Deputies taking with them ſuch Soldiers as ſhall be neceſſary, ſhall to morrow attach the Body of Mr. *White, alias Whitebread*

White-bread and carry him forthwith to the Prison of *Newgate*, there to remain in safe Custody till he shall be delivered by due course of Law, and this shall be a sufficient Warrant on that behalf.

The Lord Marquels of *Winton* gave the House an account that he did see a Bull derived from the Pope, which is now in the hands of a member of the House of Commons, which is of dangerous consequence.

Hereupon a message was sent to the House of Commons by Sir *John Coel* and Sir *Samuel Clerk* to let them know that the Lords are informed, that there is a Bull from *Rome*, which was found amongst the Papers of *Ireland* a Jesuite, the Lords desire that they may have a sight thereof, it being in the hands of one of their members.

The Earl of *Essex* informed the House that there is one *Daniel Maccarty* a Jesuite apprehended by the Sheriff of *Norfolk*, and is now in the Prison at *Thetford*, whereupon the House Ordered as followeth.

Upon information given to this House that one *Daniel Maccarty* a *Romish* Priest is now under Custody in *Thetford* in the County of *Norfolk*, It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Arms attending this House or his Deputy or Deputies shall forthwith repair to *Thetford* aforesaid, and bring thence the Body of the said *Daniel Maccarty* in safe Custody to the Bar of this House, and this shall be a sufficient Warrant on that behalf.

The messengers sent to the House of Commons, Return with a *Paper* Being a Faculty from *Rome*, which the Commons pray may be returned to them so soon as their Lordships have proposed the same.

A Message was brought from the House of Commons by Sir *Charl's Cotterel* and others, who acquainted their Lordships with an information they have received from *Franckford*, which they thought fit to Communicate to their Lordships in this juncture of Affaires.

The said *Papers* was read as followeth.

Monsieur Valkeiner *Resident of* Holland *at* Franckford *writes thus to the States*, November *the* 11 *or* 21 1678.

Some days since a Jesuit coming from Rome *Arrived at* Basel *with intent to go for* England, *who being in discourse with certain Merchants there, is Reported to have said that there was something Designed in* England *against the King, whereof he believed he should heare the effect before he should get to his Journey's end, and that for the going through with that Design he should find*

find more than one thouſand Jeſuits in England, *during this diſcourſe the Poſt brought News of the diſcovery of the Conſpiracy in* England, *whereupon the Jeſuits withdrew and ſuffered himſelf no more to be ſeen.*

Die Sabbati 30. Novembris, 1678.

HIs Majeſty ſitting in his Royal Throne, adorned with his Royal Crown and Ornaments, (the Peers likewiſe being in their Robes) commanded the Gentleman Uſher of the black Rod to ſignify His Majeſties pleaſure to the Houſe of Commons, that they attend him preſently,

The Commons being come with their Speaker, the Clerk of the Crown read the Titles of theſe two Bills, and the Clerk of the Parliaments pronounced His Majeſties pleaſure concerning them.

1. An Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

Le Roy le Veult.

2. An Act for preſerving the peace of the Kingdom by raiſing the *Militia*, and continuing them in Duty for two and forty days.

Le Roy à Aduiſera.

After this His Majeſty made a ſhort Speech to this effect.

He told the Lords and Commons that he did not refuſe to paſs this Act for the diſlike of the matter, but the manner, becauſe it puts out of his power the Militia *for ſo many days, if it had been but for half an hour, he would not have conſented to it, becauſe of the ill conſequences it may have hereafter, the* Militia *being wholly in the Crown, and ſo far as he is enabled by Law to raiſe the* Militia, *if they will enable him with money to pay them, he ſhall imploy ſuch of them as he thinks fit, and are neceſſary for the ſafety of himſelf and the Kingdom.*

His Majeſty ſaid he had paſſed the other Bill, which is of very great importance, of which there may be ill conſequences hereafter, but he was willing to oblige them, who have thought it fitting at this time, and hopes that they will be careful to give him all due ſatisfaction for the future.

This day the Lord Chancellour by Intimation from the Duke of *Norfolk*, acquainted the Houſe with a doubt that was concerned in Law, that if there was not an immediate proceeding to take the Oaths, and Declaration preſcribed in the Act Entituled for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament; It would be queſtionable whether there could be a Houſe of Peers on *Munday* to ſupply that defect, and though the Lords were of opinion that it was not of abſolute neceſſity ſo to do, and that there would be no danger of Diſſolving the Houſe by omitting it. Yet nevertheleſs for avoiding of all Scruples and Objections that might otherwiſe be made: ſome of their Lordſhips did immediately take the ſaid Oaths, and make and ſubſcribe the Declaration with reſolution to repeat the ſame on *Munday*, which being done, the Houſe was moved to take notice of the good ſervice of the Duke of *Norfolk* hereto before his withdrawing, which their Lordſhips took very well from him, and Ordered that a Memorial thereof be entred in the Journal of this Houſe for the honor of his Grace.

Then theſe Lords following did take the Oaths, and make and ſubſcribe the Declaration in the purſuance of the Act, for the more effectual preſerving the Kings Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

D. *Cumberland*
L. *Chancellor*
L. *Treaſurer*
L. P. *Seal.*
D. *Albemarle*
D. *Monmouth*
M. *Wigorn*
E. *Huntington*
E. *Suffolk*
E. *Sarum*
E. *Bridgewater*
E. *Mulgrave*
E. *Peterborough*
E. *Scarſdale*
E. St. *Alban*
E. *Eſſex*
E. *Bath*
E. *Craven*
E. *Aylisbury*
E. *Guilford*
E. *Feverſham*
Vic. *Fauconberg*

Vic. *Newport*	L. *Ferrers*
L. Arch-B. *Canterbury*	L. *Windſor*
B. *Durham*	L. *Brooke*
B. *Glouceſter*	L. *Byron*
B. *Bangor*	L. *Vaughan*
B. *Oxon*	L. *Culpepper*
B. *Exon*	L. *Fretchvil*
B. *Lincolne*	L. *Arundel* Treaſ.
L. *Berkley*	L. *Wotton.*

The Lord *Audley* a Member of this Houſe, taking his leave of their Lordſhips, and expreſſing his great duty to His Majeſty, and the Welfare and Peace of this Kingdom, to the great ſatisfaction of the whole Houſe. The Houſe commanded the Lord Chancellor to recommend the Lord *Audley* from this Houſe to His Majeſty for his favour and grace, conſidering his antient deſcent, and the great actions done by his Anceſtors in *France* in former times, and the ſmall Eſtate and Fortune left to his Family, by reaſon of his Fortune ſpent in that Service by his Anceſtors.

Upon reading the Petition of Sir *Ellis Leighton* Knight priſoner in *Newgate*, repreſenting his ill condition of health, and that he is reſtrained from friends and neceſſary attendants, and praying that he may have Pen, Ink and Paper, and acceſs of friends and ſervants. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that Sir *Ellis Leighton* ſhall, and may during his preſent ſickneſs have (beſides theſe perſons already allowed to come to him by His Majeſties order) the attendance of a Servant, and the uſe of Pen, Ink and Paper, for making of his Will and other Settlements, and this ſhall be a ſufficient Warrant on that behalf.

The Lord Chancellor acquainted the Houſe, that there is one *Robert Pugh* a *Romiſh* Prieſt apprehended in *Wales*, and that the Lord Arch-Biſhop of *Canterbury* had delivered to him a faculty ſent to the ſaid *Pugh* from *Rome*, by Cardinal *Barbarino* in the year 1650. being of the ſame tenor of that found amongſt *Irelands* Papers, which the Houſe Ordered ſhould be ſafely kept, to be made uſe of at the Tryal of the ſaid *Pugh*, as evidence of his being a Prieſt.

A Letter written to the Lord *Windſor* from Sir *John Packington* was read, giving him an account what courſe is taken in *Worceſterſhire* againſt the Papiſts.

The

The Earl of *Northampton* communicated a *Letter* and Examination out of *Warwickſhire* giving an account of Affaires there.

Ordered, that the Lords with white Staves do attend His Majeſty humbly to deſire him from this Houſe, that ſo far as the *Militia* of this Kingdom may be imployed by Law, His Majeſty will be pleaſed to improve it for the ſecurity of His Majeſty and this Kingdom.

Upon information given to this Houſe that a Perſon was taken at *Gargrave* in *Craven* on *Wedneſday* the 12*th*. inſtant, on whom were found many *Letters* to be delivered to one Mr. *Standiſh*, which Perſon was examined by Mr. *Marſden* a Juſtice of the Peace. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Mr. *Marſden* be, and is hereby authorized and required to peruſe the ſaid Letters, and to ſend ſuch of them to the Clerk of the Parliament, as are in Characters or Cyphers, if any ſuch be, or relate to any deſign againſt His Majeſty, or the Subverſion of the Government, or the Proteſtant Religion.

Upon information given to this Houſe by the Marquels of *Worceſter*, that *Lloyd* a Popiſh Prieſt was lately apprehended in *Penline* Caſtle in the County of *Glamorgan*, and ſtands now Committed to the common Goale of the ſaid County: It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Lloyd* ſhall remain in the ſaid Goal, in order to his being Tryed at the Aſſiſes for the ſaid County, according to the Laws of this Kingdom.

Upon reading the Depoſition of *Dominico Gratiano*, now Priſoner in *Newgate* in the City of *Briſtol* (at the ſuit of *Joſephus Georgerine*, who ſtiles himſelf a *Grecian* Biſhop) ſworn to before *Ralph Olliffe* Alderman of the ſaid City, on the 26. inſtant, concerning words uttered by the ſaid *Joſephus Georgerine*. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Sheriffs of the County and City of *Briſtol* be, and are hereby required to take ſpecial care, and give order that the ſaid *Dominico Gratiano* may be forthwith ſent up from the City of *Briſtol*, in ſafety to attend the Houſe of Peers, and this ſhall be a ſufficient warrant on that behalf.

Die Lunæ ſecundo Decembris. 1678.

The Names of the Lords, who this day took the Oaths of Allegiance and Supremacy, and made and Subſcribed the Declaration in purſuance of the Late Act of Parliament, entituled an Act for the more effectual preſervation of his Majeſties Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament, beginning with the youngeſt Barons firſt.

Thomas Lord *Butler* of *Moor-Park.*
Richard L. *Arundel* of *Tr.*
John L. *Fretchville.*
George L. *Delamer.*
Charles L. *Cornwallis.*
Charles L. *Wotton.*
Charles L. *Gerard Brand.*
Edward L. *Rockingham.*
Charles L. *Lucas.*
Jacob. L. *Aſtley.*
Thomas L. *Culpepper.*
Richard L. *Vaughan.*
Richard L. *Byron.*
Thomas L. *Leigh.*
Edward L. *Herbert* Chr.
William L. *Howard* Eſq;
William L. *Maynard.*
John L. *Paulet.*
John L. *Lovelace.*
Ford L. *Grey, de Werke.*
Foulke L. *Brooke.*
James L. *Chandois.*
Charles L. *North & Grey.*
William L. *Paget.*
Ralph L. *Eare.*
Thomas L. *Windſor.*
Charles L. *de Grey.*
Robert L. *Ferrers.*
Thomas L. *Morley.*
George L. *Berkley.*
William L B. of S. *Davids.*
Thomas L. B. of *Exon.*
John L B. of *Oxon.*
Thomas L.B. of *Lincoln.*
Humphrey L.B. of *Bangor*
John L.B. of *Cheſter.*
Peter L B.of *Bath & Wells*
John L.B. of *Glouceſter.*
Guy L.B. of *Briſtol.*
Peter L.B. of *Ely.*
John L.B. of *Rocheſter.*
Joſeph L.B. of *Peterbor.*
Nathaniel L.B. of *Dur.*
Henry L.B. of *London.*
Francis Vic. *Newport.*

George

George Vic. *Hallifax.*
Thomas Vic. *Fauconberg.*
William Vic. *Say & Seal.*
Lewis E. of *Feversham.*
John E. of *Guilford.*
Anthony E. of *Shaftsbury.*
Robert E. of *Aylisbury.*
William E. of *Craven.*
John E. of *Bath.*
Arthur E. of *Essex.*
Henry E. of *Clarendon.*
Henry E. of St. *Alban.*
Nicholas E. of *Scarsdale.*
Robert E. of *Sunderland.*
William E. of *Strafford.*
Henry E. of *Peterborough.*
Thomas E. of *Rivers.*
John E. of *Mulgrave.*
Robert E. of *Manchester.*
Charles E. of *Westmorland.*
Gilbert E. of *Clare.*
William E. of *Denbigh.*
James E. of *Northampton.*
Philip E. of *Leicester.*
John E. of *Bridgwater.*
James E. of *Sarum.*
Charles E. of *Dorf.* & *Mid.*
James E. of *Suffolk.*
William E. of *Bedford.*
Theophilus E. of *Huntingt.*
Anthony E. of *Kent.*
Awbrey E. of *Oxon.*
Henry E. of *Arlington*, L. Chamberl. of His Majesties Houshold.
Robert E. of *Lindsey*, L. High Chamberl. of *England.*
Henry Marq. of *Dorchest.*
Henry Marq. of *Worcest.*
Charles Marq. of *Winch.*
James D. of *Monmouth.*
Christopher D. of *Albemarle.*
Arthur E. of *Anglesey* L. Pr. Seal.
Thomas E. of *Danby* L. High Trea. of *England.*
Heneage L. *Finch* L. high Chancellor of *England*
William Arch-b. of *Canterbury.*
Rupert D. of *Cumberland.*

The House was informed by some Lord that they had taken notice that the Lord *Wharton* did not kiss the Book, when he took the Oaths of Allegiance and Supremacy this day, and so hath not legally taken the said Oaths, his Lordship being gone out of the House was called in, and being in his place the Lord Chancellor told him that the House was of Opinion that he hath not taken the Oaths this day in a legall manner, because he did not Kiss the Book.

To which his Lordship said, that he had been allowed to do as he did this day at several times in this House when he did take the Oaths, and presently withdrew, and then the Lord *Wharton*

Wharton being withdrawn the Houſe made the following Order.

For as much as this day the Lord *Wharton* did not take the Oaths of Allegiance and Supremacy in due form, not having kiſſed the Book, yet having Subſcribed the Declaration as if he had taken the ſaid Oaths, it is Ordered that the name of the Lord *Wharton* be put out of the Roll of Subſcription to the Declaration.

And immediatly his name was put out of the Roll at the Table.

It was averred in the Houſe that the Earl of *Leiceſter* and the Earl of St. *Albans* did not pronounce ſome words in taking the Oaths of Allegiance and Supremacy and making the Declaration this day, their Lordſhips did Offer to take the ſame for the ſatisfaction of the Houſe, which they did accordingly.

The Houſe was alſo acquainted that the Marqueſs of *Dorcheſter* did not ſay ſome words in taking the Oaths of Allegiance and Supremacy and making the Declaration this Day, whereupon the Houſe Ordered that his Lordſhip ſhould take the ſaid Oaths and make the Declaration again to morrow Morning.

It is this Day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord *Carington* now under the Cuſtody of the Gentleman Uſher of the Black Rod attending this Houſe (his Lady being ſick in the Country) hath hereby liberty given him to repaire to his houſe in *Oxfordſhiere* to remain under Confinement, not to remove from thence till the pleaſure of this Houſe be further ſignified, and this ſhall be a ſufficient Warrant on that behalf.

Ordered, that the Lords Committees for Examining Perſons and *Papers*, for the further diſcovery of the horrid deſign againſt His Majeſties Perſon and Government, be and are hereby impowered to peruſe and methodize ſuch *Papers* and *Letters* and other Writings, as their Lordſhips ſhall Judge to be neceſſary for Evidence at the Tryal or Tryals of all, or any of the Perſons now in cuſtody or Priſon for any thing relating to the ſaid horrid deſign.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed, to give Order that ſuch *Papers* and *Letters* as were by the Lords Committees for Examining *Papers*, delivered to his Majeſties Attorney General to be uſed at the Tryal of *Edward Coleman*, and are ſince by His Majeſties

Order

Order delivered over to one of the Clerks of the Councel, may be tranſmitted to the ſaid Lords Committees, for their further peruſal in Order to the Tryals of other Perſons now in cuſtody.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that *Luke* Earl of *Fingal* in the Kingdom of *Ireland*, be and is hereby authorized and permitted forthwith to repair to any of His Majeſties Sea-ports of this Kingdom, and to paſs with two Servants *viz* *Edmond Barry* and *Chriſtopher Archbold* from thence to *France* or *Flanders* without the let, ſtay or interruption of any Perſon or Perſons whatſoever, and this ſhall be a ſufficient Warrant on that behalf.

Upon reading the humble Petition of *Henry Gilmans*, *Peter Demulder*, *Lewis Caſteels*, *Thomas Ael Brechts*, *Giles Bowens*, *Jan Slaiter*, *Jan Leiſens* and *Giles Malnoe*, Artificers, Natives of the *Spaniſh Netherlands* now Priſoners in the *Gatehouſe* at *Weſtminſter*, ſhewing that being ſetled for ſeveral years in following their reſpective Trades in St. *Martins Le grand*, they are Impriſoned for not being willing to take the Oath of Supremacy, and Praying that they may be ſet at liberty to follow their ſeveral Trades, or have time to prepare for their return to their own Country, upon conſideration had thereof, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Henry Gilmans*, *Peter Demulder*, *Lewis Caſteels*, *Thomas Ael Brechts*, *Giles Bowen*, *Jan Leiſens* and *Giles Malnoe*, be and are hereby diſcharged from their preſent Impriſonment, and this ſhall be a ſufficient Warrant on that behalf.

The Earl of *Eſſex* Reported from the Lords Committees, appointed to take Examinations concerning the diſcovery of the horrid deſign againſt His Majeſties Perſon and Government, that they had brought before them *Richard Vaughan* and *John Vaughan*, who were ſent for before them by Order of this Houſe, therefore the Committees deſires that the ſaid Perſons may be brought to this Bar to be Examined, and at the ſame time *William Bedloe* may be preſent to offer what he hath to charge them, hereupon it is Ordered, that the ſaid *Richard* and *John Vaughan* be brought to this Bar to morrow Morning, at which time *William Bedloe* is to be preſent.

The Lord Treaſurer Reported, that the Lords with White Staves have attended His Majeſty with the Addreſs, humbly to deſire him that he will be pleaſed, *that ſo far as the* Militia *of this Kingdom may be imployed by Law, His Majeſty will be pleaſed to improve it for the ſecurity of His Majeſty and this Kingdom*,

dom, to which His Majesty says he will take care for the doing thereof.

Die Martis 3. Decembris 1678.

THe House was made acquainted, that the Lord *Wharton* was ready and willing to take the Oathes of Allegiance and Supremacy, and make and subscribe the Declaration, and that the Lord Marquess of *Dorchester* was ready to take the Oathes, and repeat the Declaration according to the Order yesterday.

This day these Lords did take the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration in pursuance of the Act Entituled, an Act for the more effectual preserving His Majesties Person and Government, by disabling Papists from sitting in either House of Parliament.

Phillip Lord *Wharton.*
Seth Lord Bishop of *Sarum.*
George Duke of *Buckingham.*
Henry Marquess of *Dorchester.*

Mr. *Richard Vaughan* and his Son *John Vaughan*, being this day brought to the Bar by the Serjeant at Armes, *William Bedloe* was called in, who being asked by the Lord Chancellor what he had to say to those persons, he looking on *Richard Vaughan*, said, I brought this Gentleman a *Letter* from the *Monks* at *Paris*, *the matter whereof was for* Richard Vaughans *holding a consultation for carrying on the design for subversion of the Government, and that there was inclosed in the Pacquet a Letter directed to the Earl of* Powis, *and that* Richard Vaughan *sent a Letter back by him to his Daughter a Nun at* Pontois. To which *Richard Vaughan* said that he never received any *Letters* from *France* by *William Bedloe*, only that *William Bedloe* came to him and told him he had seen his Daughter in *France*, and had a *Letter* from her to him but it was lost by the way, and saith that he never saw the Earl of *Powis*, but confessed he had a Daughter a Nun at *Pontois.*

Then *William Bedloe* being asked, how he knew that the *Letters*

ters were about a conſultation for carrying on the deſign for the ſubverſion of the Government, he ſaid he never carryed any *Letters* to or from *England* but he opened them by the way and read them, and that he offered to *Richard Vaughan* to carry the *Letter* to the Earl of *Powis*, but *Richard Vaughan* would not permit him, but undertook the delivery of it himſelf.

Then being asked what he hath to ſay to *John Vaughan*, he could not charge him with any thing, only he had been Informed, that *John Vaughan* was to command his Fathers Money and men.

Upon this they being withdrawn the Lords made the following Orders.

Whereas *Richard Vaughan* was this day brought to the Bar by the Serjeant at Armes attending this Houſe, and there charged by *William Bedloe* upon Oath with matters relating to the carrying on the deſign againſt His Majeſties Perſon and Government, it is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Richard Vaughan* ſhall ſtand committed to the Priſon of the *Kings bench*, there to remain in ſafe cuſtody till further Order, and that the Serjeant at Armes attending this Houſe or his Deputy and Deputies take care to convey him to the ſaid Priſon, and this ſhall be a ſufficient Warrant on that behalf.

Whereas *John Vaughan* was this day brought to the Bar by the Serjeant at Armes attending this Houſe, for matters charged againſt him by *William Bedloe*, and heard what he had to ſay, upon conſideration had thereof, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *John Vaughan* giving good ſecurity before the Lord Chief Juſtice of *England*, to appear when he ſhall be thereunto required, ſhall be immediatly diſcharged of his preſent reſtraint concerning this matter, paying his Fees, and this ſhall be a ſufficient Warrant on this behalf.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords Committees for Examining Perſons and Papers, are hereby impowered to Examine *James Hoare* the younger and Mr. *Beacon*, and alſo *John Gerard* and *Thomas Oakley*, being all under the Cuſtody of the Serjeant at Armes attending this Houſe this Afternoon at Four of the Clock, and give this Houſe an account thereof, as alſo of what their Lordſhips find in the *Papers* ſeized when the *Sweeds* were ſeized by *William Sorocoale*, which *Sweeds* were this day diſcharged at the Bar.

This day the Juſtices of the Peace delivered in a Liſt of what

what Papiſts they find within the Liberties of *Weſtminſter*, and alſo the Juſtices of Peace within the County of *Middleſex*, delivered in a Liſt of what Papiſts they find within their Liberties.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order for a ſpecial Commiſſion, to be directed to ſuch Perſons as His Majeſty ſhall think fit, for taking an account of the Papiſts that reſide within His Majeſties Court at *Whitehall*, and the Verge thereof and *Somerſet-houſe*.

William Sorocoale was called in, and received the reprehenſion of this Houſe for his miſbehaviors and irregular proceedings, and was charged not to meddle in any buſineſs whatſoever for the future.

A *Letter* was read written to the Lord *Windſor* from *Worceſter* dated the 30th. of *November* 1678. by the Major of *Worceſter* concerning Mr. *Powel* and one *Whitaker*, who is charged for ſpeaking ſcandalous words, *viz*. *That there were not above Five Biſhops in* England *that were Proteſtants, and thoſe were* London, Oxon, *and* Exon, *and two more. And that there is one* Barneſley *a Prieſt under cuſtody in the City of* Worceſter, *hereupon it is Ordered as followeth.*

Upon Information given to this Houſe by the Lord *Windſor*, that one Mr. *Edward Whitaker* of *London*, ſtands committed in the City of *Worceſter* for ſome unbecoming words by him there uttered, as it is certified in a *Letter* to his Lordſhip ſigned *John Tyas* Major, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Mr. *Whitaker* ſhall give Bail before the Major of the City of *Worceſter* for his appearance before the Lords in Parliament, within Eight days after ſuch Bail given, and be thereupon diſcharged from his preſent commitment, and this ſhall be a ſufficient Warrant on that behalf.

Upon Information given to this Houſe that one *Barneſley* a *Romiſh* Prieſt is now under cuſtody in the City of *Worceſter*, it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Armes attending this Houſe, or his Deputy or Deputies ſhall forthwith repair to the City of *Worceſter*, and bring thence the Body of the ſaid *Barneſley* in ſafe Cuſtody to the Bar of this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

Upon reading the Petition of *Francis Point* His Majeſties Tapiſtry maker and *Thomas Point* two Merchants of *London*, ſhewing

ſhewing that by His Majeſties encouragement, they have brought into this Kingdom to the City of *London*, ſeveral Families of Tapiſtry makers, ſome of which being *Roman* Catholicks, are now obliged by His Majeſties Proclamation to quit the ſame to the ruin of their Families, and prejudice to the taking of Commodities of the growth of this Kingdom, and praying that their condition may be weighed, upon conſideration had thereof, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Petitioners and ſuch Perſons imployed by them in making Tapiſtry as are of the *Romiſh* Religion, ſhall not be moleſted by His Majeſties ſaid Proclamation nor lyable to the penalties thereof.

The Earl of *Clarendon* Reported, from the Committee for Examinations an Examination, which was read as followeth.

Mr. Rigmagden *Servant to the* Lord Arundel *of* Warder *being Examined whether the latter end of the laſt Seſſion of Parliament he did not Inquire after the Lodgings of all the Lords, and the Lodgings of the Members of the Houſe of Commons.*

He denied poſſitively that he inquired after the Lodgings of any Lords or of the Members of the Houſe of Commons.

Mr. William Snow *was ſworn and examined, ſaith upon his Oath that himſelf and* James Noble *after the end of the laſt Seſſions went to the Lord* Arundels, *to ask for Money as they uſually do to all the Lords, and this Deponent did then meet with Mr.* Rigmagden, *and the ſaid Mr.* Rigmagden *did inquire of him for the Lodgings of all the Lords, and alſo the members of the Houſe of Commons, this Deponent deſired to know why he did ask, the ſaid Mr.* Rigmagden *told him becauſe he had a buſineſs to bring into Parliament the next Seſſion.*

James Noble *being ſworn and examined ſaith, that at the end of the laſt Seſſion* William Snow *and he this Deponent went to the Lord* Arundel *of* Warders *houſe to ask for Money according to their uſual Cuſtome, and Mr.* Rigmagden *did then ask this Deponent, where all the Biſhops did lye and all the Lords and their names, alſo he did ask this Deponent where all the Members of the Houſe of Commons did lodge, and this Deponent not liking ſuch an enquiry ſaid he had nothing to do with them*

Mr. *Rigmagden* after thoſe two witneſſes were Examined confeſſed he enquired after the Lodgings of the Biſhops, and none others.

The Lords then asked Mr. *Rigmagden* what buſineſs he had to bring into Parliament.

He anſwered, it was for Mr. *Will.*

Their Lordſhips asked what Mr. *Wills* buſineſs was, he anſwered he could not tell.

Upon

Upon Report made by the Earl of *Clarendon* from the Lords Committees for Examinations, concerning the horrid design against His Majesties Person and Government, of the Examination of Mr. *Rigmagden* Servant to the Lord *Arundel* of *Warder* concerning matters proved upon Oath against him, it is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Armes attending this House or his Deputy, shall forthwith Attach the Body of the said Mr. *Rigmagden*, and deliver him into the Prison of the *Gate-house* at *Westminster*, there to remain in safe Custody till further Order, and this shall be a sufficient Warrant on that behalf.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Armes attending this House his Deputy and Deputies, be and are hereby authorized and required forthwith to Attach the Body of Sir *Francis Ratcliffe*, and bring him in safe Custody to the Bar of this House, to answer to such matters as shall be there objected against him on His Majesties behalf, and for so doing this shall be a sufficient Warrant.

Die Mercurii 4. *Decembris* 1678.

THis day *John* Earl of *Rochester* took the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration in pursuance of the Act Entituled, an Act for the more effectual preserving His Majesties Person and Government, by disabling Papists from sitting in either House of Parliament.

John Earl of *Rochester.*

The House being moved, that *White* alias *Whitebread* a Prisoner in *Newgate* being sick, may have the necessary helps of a Nurse to tend him, and a Physitian to come to him during his Sickness, it is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said Mr. *White* alias *Whitebread* shall and may during his sickness have a Nurse to tend him, and that Dr *Lowre* may have free access to him as a Physitian, during his sickness as often as occasion shall require,

quire, and this ſhall be a ſufficient Warrant on that behalf.

The Houſe being moved that Dr. *Fogarty* being ſick in the Priſon of *Newgate*, may have the neceſſary helps of a Nurſe to tend him, and a Phyſitian to come to him during his ſickneſs, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Dr. *Fogarty* ſhall and may during his ſickneſs have a Nurſe to tend him, and that Sir *Alexander Frazier* may have free acceſs to him as a Phyſitian during his Sickneſs, as often as occaſion ſhall require, and that the ſaid Dr. *Fogarty* may have uſe of Pen, Ink, and Paper, for writing a Note or Notes for Money or ſuch neceſſaries as he wants, which he cannot have without a Note under his hand, and this ſhall be a ſufficient Warrant on that behalf.

Upon Information given to this Houſe, concerning Captain Francis Spalding *Deputy Governor of* Chepſtow Caſtle, *that neither he nor any of his Officers nor any of the Soldiers under him (except one) in that Garriſon have received the Sacrament of the Lords Supper at* Chepſtow *within three years laſt paſt, and that Captain* Spalding *hath not come to Church there for the laſt Five or Six Moneths, except on the* 13*th day of* November *laſt, and hath declared that he can and will be ready to take any Oath that can be deviſed, and that he hath a Diſpenſation for ſo doing, and that the Garriſon at* Chepſtow Caſtle *hath uſed the Country very ill,* upon conſideration had thereof, It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby recommended to the Lord Biſhop of *Landaffe*, calling to his Aſſiſtance *Thomas Lewis* of St. *Peeres* Eſquire, *William Keymiſh* Eſquire, Sir *Herbert Evans*, *Thomas Morgan* of *Lanſore* Eſquire, and *Thomas Herbert* of *Uske* Eſquire: To inquire into the Information aforeſaid, and to ſend for and Examine ſuch Perſons as they ſhall think fit for finding out the truth of the matter of Fact, and to give this Houſe an account thereof ſo ſoon as his Lordſhip with conveniency can.

Ordered, that the Lords Committees appointed to Examine Mr. *Edward Colemans* and others *Papers*, be and are hereby impowered to uſe ſuch means as they ſhall think fit, for the finding out the two laſt years *Papers* and *Letters* to and from the ſaid *Edward Coleman*, which are not yet diſcovered.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that His Majeſties Attorney General is hereby appointed to deliver to the Lords Committees for Examining *Papers*, or ſuch Perſon as they ſhall appoint to receive

them all such *Papers* and *Letters*, as are in his hands to be by their Lordships perused in order to the Tryals of such Persons as are now in Custody, concerning the horrid design against His Majesties Person and Government.

Upon Report from the Lords Committees, to whom it was referred to Examine *John Gerard* and *Thomas Oakley*, who for refusing the Oath of Allegiance were brought up from *Stratford* upon *Avon*, by the Serjeant at Armes attending this House, under whose Custody they now are, that their Lordships judge it fitting that the said *John Gerard* and *Thomas Oakley* be continued in Custody, It is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said *John Gerard* and *Thomas Oakley* shall stand committed to the Prison of the Kings Bench, there to remain in safe Custody till further Order, and that the Serjeant at Arms attending this House, his Deputy or Deputies take care to convey them to the said Prison, and for so doing this shall be a sufficient Warrant on that behalf.

The House being moved on the behalf of Sir *George Charnock* Knight Serjeant at Armes attending this House, concerning his demanding Fees upon the discharge of any person out of his Custody, who is or shall be apprehended by him by Order of this House, It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that all such Persons as are or shall be so discharged out of his Custody, shall pay all such Fees as are justly due to him, and all other the Officers attending the Service of this House.

The House was adjourned into a Committee, during pleasure to consider of further Heads for the preservation of His Majesties Person and Government, and securing the Protestant Religion, the House was resumed, and the Earl of *Bridgewater* Reported, that the Committee of the House had agreed of some heads, which he is directed to Report.

That the House be desired to make an Address to His Majesty, that he would be pleased to call again on the Forreign Ministers residing here for an account of the numbers, names, and places of abode of the Priests that do attend them respectively.

That an Address may be made to His Majesty, that Order may be given for preventing the scandalous resort of numbers of His Majesties Subjects to Ambassadors Chappels.

That an Address be made to His Majesty for a Proclamation, for tendering the Oathes according to Law to all Lawyers, Physitians, and Apothecaries, who are Popish Recusants by a day to be prefixed, in Order to the speedy Execution of the Laws against them.

That

That a Bill be prepared for the more ſpeedy conviction of Gunſmiths, Armorers, Cutlers, Book-ſellers, and Printers, who are Popiſh Recuſants.

That the matter of ſending Children abroad to Forreign Seminaries, may be conſidered at the next meeting of the Committee.

That a Meſſage may be ſent to the Houſe of Commons, to put them in mind of the Bill ſometime ſince ſent down, for the better diſcovery and more ſpeedy conviction of Popiſh Recuſants.

All which Report the Houſe agreed to.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to call again on the Forreign Miniſters reſiding here for an account of the numbers and names, and places of abode of the Prieſts, that do attend them reſpectively.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order, for ſome effectual means of preventing the ſcandalous reſort of numbers of his Subjects, to the Chappels of Forreign Miniſters reſiding here.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order for ſending out a Proclamation, for tendering the Oathes according to Law, to all Lawyers, Phyſitians, and Apothecaries, who are Popiſh Recuſants by a day to be therein prefixed in Order to the ſpeedy Execution of the Laws againſt them.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. Juſtice *Atkins* be and is hereby appointed to prepare a Bill to be offered to this Houſe, for the more ſpeedy conviction of all Gunſmiths, Armorers, Cutlers, Book ſellers, and Printers, who are Papiſts.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwyn* and Sir *Andrew Hacket*, to put them in mind of the Bill, for the ſpeedy conviction of Popiſh Recuſants.

Die Jovis Quinto Decembris 1678.

THis day *Phillip* Earl of *Pembrook* and *Mountgomery* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in perſuance of an Act entituled, an Act for the more effectual preſerving of His Majeſties Perſon and Government, by diſabling Papiſts from ſitting in either Houſes of Parliament.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order to the Lord Lieutenant of his Kingdom of *Ireland*, that *Martin French* an *Auguſtine Fryar* now at *Galloway* in *Ireland* may be ſafely ſent thence hither, and may be well treated in his coming being to be examined as a witneſs before the Houſe of Peers.

Upon reading the information of *Henry Thorne* taken upon Oath before Sir *Thomas Smith* one of His Majeſties Juſtices of the Peace, for the County of *Suffolke* concerning great numbers of arms by him ſeen in the houſe of *Richard Taſbrough* Eſquire in the County of *Suffolke* and other matters in the ſaid information expreſſed. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Henry Thorne* and *Thomas Thorne* his brother Servant or late Servant to the ſaid *Richard Taſbrough* be and are hereby required to appear at the Bar of this Houſe within Four Days next after notice given to them reſpectively of this Order, as they or either of them will anſwer the Contrary at their Peril.

Upon reading the information of *Henry Thorne* taken upon Oath before Sir *Thomas Smith* one of His Majeſties Juſtices of the Peace, for the County of *Suffolk* concerning great numbers of Arms by him ſeen in the houſe of *Richard Taſbrough* Eſq; in the ſaid County of *Suffolk* and other matters in the ſaid information expreſſed. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at arms attending this Houſe his Deputy or Deputies do forthwith attach the Body of the ſaid *Richard Taſbrough*, and bring him in ſafe Cuſtody to the Bar of this Houſe, to anſwer ſuch matters as ſhall be there objected againſt him, and this ſhall be a ſufficient Warrant on that behalf.

Ordered,

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Keeper of *Newgate* or his Deputy ſhall bring Sir *Elli Leighton* now his Priſoner in *Newgate* being ſick to the Bar of this Houſe, to be examined there on *Saturday* the *7th*. Day of this inſtant *December* at ten of the Clock in the Forenoon, and for ſo doing this ſhall be a ſufficient Warrant.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that *Titus Oats* be and is hereby appointed to attend this Houſe on *Saturday* the *7th*. Day of this inſtant *December* at ten of the Clock in the Forenoon, at which time Sir *Elli Leighton* is to be Examined at the Bar.

A Meſſage was brought from the Houſe of Commons by the Lord *Cavendiſh* and others to let their Lordſhips know, that they have matters of great importance to impart to their Lordſhips, therefore they deſire their Lordſhips will ſit a while longer.

The anſwer returned was, that their Lordſhips will ſit a while longer.

The Houſe was adjourned into a Committee during pleaſure to conſider of further heads for the preſervation of His Majeſties Perſon and Government, the Houſe was reſumed.

A Meſſage was brought from the Houſe of Commons by Mr. Wharton *&c. that the Commons of* England *in Parliament Aſſembled, having received Information of Divers Traiterous practices and deſignes of a great Peere of this Houſe*, Henry *Lord* Arundel *of* Warder, *have commanded him to impeach the ſaid* Henry *Lord* Arundel *of* Warder *of Treaſon and other high Crimes and Miſdemeanours, and he did here in their names and in the names of all the Commons of* England *impeach the ſaid* Henry *Lord* Arundel *of* Warder *of Treaſon and high Crimes and Miſdemeanours.*

They have further commanded him to acquaint your Lordſhips, that they will in convenient time Exhibit to your Lordſhips the Articles of the Charge againſt him.

A Meſſage was brought from the Houſe of Commons by Mr. Mainard *and others, that the Commons of* England *in Parliament Aſſembled, having received Information of Divers Traiterous practices and deſignes of a great Peere of this Houſe*, William *Earl of* Powis, *have commanded him to impeach the ſaid* William *Earl of* Powis *of Treaſon and other high Crimes and Miſdemeanours, and he did here in their names and in the names of all the Commons of* England *impeach the ſaid* William *Earl of* Powis *of Treaſon and high Crimes and Miſdemeanours.*

They have further commanded him to acquaint your Lordſhips, that they will in convenient time Exhibit to your Lordſhips the Articles of the Charge againſt him.

A Meſſage was brought from the Houſe of Commons by Mr. Thynne *&c. that the Commons of* England *in Parliament Aſſembled, having received Information of Divers Traiterous practices and deſigns of a great Peere of this Houſe,* John *Lord* Bellaſis *have commanded him to impeach the ſaid* John *Lord* Bellaſis *of Treaſon and other high Crimes and Miſdemeanours, and he did here in their names and in the names of all the Commons of* England *impeach the ſaid* John *Lord* Bellaſis *of Treaſon and high Crimes and Miſdemeanours.*

They have further commanded him to acquaint your Lordſhips, that they will in convenienr time Exhibit to your Lordſhips the Articles of the Charge againſt him.

A Meſſage was brought from the Houſe of Commons by Sir Phillip Warwick, *that the Commons of* England *in Parliament Aſſembled, having received Information of Divers Traiterous practices and deſignes of a great Peere of this Houſe* William *Lord* Peter *have commanded him to impeach the ſaid* William *Lord* Peter *of Treaſon and other high Crimes and Miſdemeanours, and he did here in their names and in the names of all the Commons of* England *impeach the ſaid* William *Lord* Peter *of Treaſon and high Crimes and Miſdemeanours.*

They have further commanded him to acquaint your Lordſhips, that they will within convenient time Exhibit to your Lordſhips the Articles of the Charge againſt him.

A Meſſage was brought from the Houſe of Commons by Sir Scroope How *&c. that the Commons of* England *in Parliament Aſſembled, having received Information of Divers Traiterous practices and deſignes of a great Peere of this Houſe,* William *Lord* Viſcount Stafford *have commanded him to impeach the ſaid* William *Lord* Viſcount Stafford *of Treaſon and other high Crimes and Miſdemeanours, and he did here in their names and in the names of all the Commons of* England *impeach the ſaid* William *Lord* Viſcount Stafford *of Treaſon and high Crimes and miſdemeanours.*

They have further commanded him to acquaint your Lordſhips, that they will within convenient time Exhibit to your Lordſhips the Articles of the Charge againſt him.

Ordered, that theſe impeachments be taken into conſideration to morrow, and all the Judges to be then preſent.

Upon reading the order directed yeſterday concerning Captain *Francis Spalding* and the Garriſon of *Chepſtow* Caſtle, the Houſe being moved, that *Edmond Evans* who attended at the Door

Door might be heard, he was called in and ſworn, and being asked what he knew concerning *Chepſtow* or Captain *Spalding*, he ſaid he was Curate there laſt year, put in by the Lord Biſhop of *Landaffe* and that he knows Captain *Spalding*, and believes but cannot ſay upon his Oath, that he came always to Church when he was Curate there, that he hath not been Curate there ſince *Auguſt* laſt, and ſo cannot ſay whether Captain *Spalding* hath been at Church there ſince that time, nor did he adminiſter the Sacrament there at all, but the Miniſter of *Masberne* did it. He further ſaid that the Soldiers did come to Church there on the Fifth of *November* 1676, as a Company, and he hath obſerved that a Soldier brought a Paper in his hand to Church, which contained the names of the Soldiers, to the end notice might be taken who came, and who came not to Church, that the Abſenters might be mulited, upon this he was commanded to withdraw.

Walter James being brought to the Bar by the Serjeant at Armes, *William Bedloe* was called and asked what he had to ſay againſt him who ſaid he knowes the ſaid *Walter James*, and had ſeen him in *Monmouth*, but hath not had any converſe with him, nor can charge him with any thing more than that he hath heard from the Jeſuites, that the ſaid *Walter James*, was to be Secretary to the Earl of *Powis*.

To which *Walter James* by way of anſwer ſaid, that he was well known in his Country to have no hand in any Deſign, that he was a Commiſſioner for managing *Edward Marqueſs* of *Worceſters* Eſtate, but was never Secretary to the Earl of *Powis* nor hath not ſeen him theſe Six years, upon which they being withdrawn, the Lords made the following Order.

Whereas *Walter James* of the County of *Monmouth* Eſquire, was this day brought to the bar by the Serjeant at Armes attending this Houſe, and there heard what he had to ſay to what *William Bedloe* could alledg againſt him, after conſideration had thereof. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Walter James* ſhall at the Bar of this Houſe give ſecurity by Recognizance of Five hundred pound to appear when he ſhall be thereunto required by this Houſe, and thereupon be diſcharged from the reſtraint he is now under paying his fees, and this ſhall be a ſufficient Warrant on that behalf.

Upon reading the information of *Charl's Morgan* of *Langattock Lingoed* in the County of *Monmouth* Gentleman taken upon Oath againſt *Henry Milborne* Eſquire, as alſo ſome Certificates on the behalf of the ſaid *Henry Milborne*, and a Copy of a *Letter* ſent by the Marqueſs of *Worceſter* to the Juſtices of the

peace for the Couery of *Monmouth*, and their anſwer thereunto concerning a Paper of the names of Prieſts and Jeſuites in the ſaid County of *Monmouth*, as likewiſe two Liſts one of *Popiſh* Families, that were in the ſaid County in the late Kings Reign and now ſucceeded by Proteſtants, the other of Perſons perverted in the ſaid County this day delivered into this houſe, and other matters in the encloſed Copies mentioned upon conſideration had thereof. It is Ordered by the Lords Spiritual and Temporal in Parliament aſſembled, that it be and is hereby recommended to the Lord Biſhop of *Landaffe* calling to his aſſiſtance, *Thomas Lewis* of S^t. *Peeres* Eſquire, *William Keymiſh* Eſquire, Sir *Herbert Evans* Knight, *Thomas Morgan* of *Lanſore* Eſquire, and *Thomas Herbert* of *Uske* Eſquire, or ſuch of them as upon due ſummons ſhall appear, to enquire into & examine the matter contained in the ſaid informations and other matters in the ſaid Certificates and Papers expreſſed, and to ſend for and examine ſuch Perſons as they ſhall think fit for finding out the truth of the matters of Fact therein ſet forth, and to give this houſe a full account thereof ſo ſoon as his Lordſhip ſo aſſiſted with Conveniency can.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty humbly to deſire him from this houſe, that His Majeſty will be pleaſed to give Order for a ſpeedy account to be taken of the Papiſts that reſide within His Majeſties Court of *Whitehall* or the Verge thereof, and *Sommerſet houſe*, and returned to this houſe.

Die Veneris Sexto Decembris 1678.

THis day *Charles* Lord *Delawar* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in perſuance of an Act entituled an Act for the more effectual preſerving His Majeſties Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

A Meſſage was brought from the Houſe of Commons by Mr. *Williams &c.* That the Commons have agreed upon an humble Addreſs to be preſented to His Majeſty, to which they deſire their Lordſhips Concurrence.

The

The ſaid Addreſs was read and after ſome Debate, the queſtion being put whether to agree to this Addreſs as it is now worded, it was reſolved in the affirmative.

We your Majeſties moſt Loyal and Dutifull Subjects, the Lords Spiritual and Temporal and Commons in Parliament Aſſembled, having ſufficient Teſtimony of the preſent Danger threatning your Majeſties Sacred Perſon and Government, from the pernicious Plots & contrivances of Popiſh *Perſons univerſally ſpread over this your Majeſties Kingdom, do moſt humbly beſeech your Majeſty for the ſafety of your own Perſon and Security of the publick peace of your Kingdom. To command and require your Majeſties Sheriffs, Juſtices of the Peace, Majors and other Magiſtrates within their ſeveral and reſpective Counties, Cities and Places in* England *and* Wales. *To apprehend, diſarm and ſecure all* Popiſh *Recuſants, and all others who ſhall or may be juſtly ſuſpected Papiſts, and them to Oblidge in Recognizances with ſufficient Baile to keep the peace and be of good behaviour, and in default thereof them to impriſon and to returne the names of ſuch Perſons with their Recognizances to the next general Seſſions of the Peace, for their reſpective Limits to proceed thereupon according to Law.*

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwyn* and Sir *Andrew Hacket*, to let them know, that this houſe agrees with the Houſe of Commons in the Addreſs to be preſented to His Majeſty, and that the Lords do intend to know His Majeſties pleaſure, what time he will appoint both Houſes to wait upon him to preſent the ſame, and as ſoon as their Lordſhips knowes His Majeſties pleaſure, they will give the Commons notice thereof.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty to know his pleaſure, when both Houſes may attend him with an Addreſs for taking ſecurity of the Papiſts for keeping the peace of the Kingdom.

The Houſe being moved on the behalf of *John Monſon* Gold-ſmith a reputed Popiſh Recuſant, who in Obedience to His Majeſties late Proclamation Dated the 30*th.* of *October* laſt hath left his houſe in *London*, that he may have liberty to come to Town for diſpoſing and ſettling the affaires of diverſe Perſons, whoſe concerns are in his hands. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *John Monſon* hath hereby Liberty and Authority given him to come and ſtay in *London* for the ſpace of ten Days next after his coming to Town for that purpoſe onely and no longer.

Ordered,

Ordered, that Mr. *Roger Kenion* Clerk of the Peace for the County of *Lancaſter*, be and is hereby required to attend this Houſe within one week next after notice given him of this Order, and hereof he may not fail.

Upon information given to this Houſe of a Paper Dated from *Finder* the 28*th*. of *November* 1678. and Signed *R. S.* In which is mentioned made of an intended meeting of Five Hundred Armed Men at a Place called *Nungreene* in the Town of *Derby*, on *Munday* then next coming in the middle of the Night. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby referred to the Lords Committees for Examining Perſons and Papers, to ſend for ſuch Perſons as they ſhall think fit and examine them for the finding out the truth of the matter of Fact in the ſaid Paper mentioned, and give the Houſe an account thereof.

Upon Report made by the Earl of *Clarendon* from the Lords Committees appointed to examine Perſons and Papers *&c.* That their Lordſhips think it neceſſary that Sir *Henry Titchborne* a *Popiſh* Recuſant now Priſoner in the Goale at *Winchester* be brought up to Town. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Armes attending this Houſe, his Deputy or Deties ſhall forthwith repair to *Winchester*, and bring thence the ſaid Sir *Henry Titchborne* and deliver him into His Majeſties Tower of *London*, there to remain in ſafe Cuſtody till further Order, and this ſhall be a ſufficient Warrant on that behalf.

Upon reading of a *Letter* written by Mr. *Jenniſon* to his Son *Thomas* Jenniſon a Jeſuite in *Newgate*, perſwading him to diſcover what he knowes concerning the Horrid Deſign againſt His Majeſties Perſon and Government.

The Houſe thought it to be a more effectual way to compaſs that deſign for M. *Jenniſon* to come up in Perſon, to that end the Biſhop of *Durham* is deſired to write to *John Jenniſon* which his Lordſhip undertook.

Hodie prima vice licita eſt Billa, an Act diſabling *Popiſh* Recuſants to exerciſe certain Trades and Occupations.

Die

Die Sabbati Septimo Decembris 1678.

UPon Information given to this House, that at a place called Ripley *in* Yorkshiere *there is a Nunnery wherein Women are Educated in the* Popish *Religion. It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that it be and is hereby recommended to the Lord Arch-Bishop of* York, *to inquire into the matter of the said information, and to send for & examine such Persons as his Grace shall think fit, for finding out the truth of the matter of Fact, & if it prove so, to inquire why it hath been overseen so long, and to give this House a full account thereof so soon as his Grace with conveniency can.*

Upon Information given to this House of a place in *Herefordshiere* called *Combe*, that the said House and Three Hundred Pound *p an.* belongeth to the Church of *Rome*, and that Five or Six Jesuites commonly reside there, and that in the Chappel there, Mass is said constantly, and that the place is commonly called and known by the name of the Jesuits Colledg by the Papists, upon consideration had thereof, It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that it be and is hereby recommended to the Lord Bishop of *Hereford* calling to his assistance, such Justices of the Peace of the said County as his Lordship shall think fit to enquire into the information aforesaid, and to send for and examine such Persons as his Lordship so assisted shall think necessary, for finding out the truth of the matter of Fact concerning the said place called *Combe*, and to give this House a full account thereof so soon as his Lordship with convenience can.

The House being moved that the Lord *Bellasis* Servant *Edward Dowling*, who is now in Custody in the Gate-house for suspition of Treason may not so be discharged, but that he may be forthwith coming at the Trials of the Peers now in Prison. It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Lord Chief Justice of *England* be and is hereby appointed to send for and examine the said *Edward Dowling*, and if his Lordship shall see cause to give him any liberty, he is to take good Security for the appearing of the said *Edward Dowling* at the said Tryals.

The House having directed an Order of the fourth instant to the Bishop of *Landaffe* (calling to his assistance *Thomas Lewis* of St. *Peers* Esquire, *William Kynish* Esquire, Sir *Herbert*

bert Evans, *Thomas Morgan* of *Lanfore* Elquire, and *Thomas Herbert* of *Uſke* Elquire) to inquire into the informations therein mentioned relating to Captain *Spalding* and the Garriſon of *Chepſtow* Caſtle. It is this Day Ordered, that his Lordſhip (with ſuch of the ſaid Perſons as upon due Summons ſhall appear) may inquire into the ſaid matters, and Certify as if it had been ſo expreſſed in the ſaid Order.

The Houſe was adjourned into a Committee during pleaſure, to proceed in the Conſideration of heads for preſerving the Perſon of his Majeſty and Government and ſecuring the Proteſtant Religion, the Houſe being reſumed, the Earl of *Bridgewater* reported, that the Committee have been in conſideration this day how to prevent the Education of the Children of Papiſts in the *Popiſh* Religion, and alſo have heard the Opinion of the Judges now preſent, why the Statutes have not been put into Execution for that purpoſe, that the Committee deſires that the ſaid Judges (*viz.*) the Lord Chief Juſtice of the Court of Common Pleas, the Lord Chief Baron of the Court of Exchequor, and Mr. Juſtice *Windham* to conſider of the Statutes, for preventing the Education of Children in *Popiſh* Seminaries beyond the Seas, and prepare a Bill for remeding the Defects in the Execution of the ſaid Statutes, upon the whole matter of the Debate had this Day in the Committee of the whole Houſe, whereat the ſaid Judges were preſent and particularly to provide againſt the Education of Daughters in Nunneries, and to preſent the ſame to this Houſe as ſoon as conveniently they can, all which the Houſe agreed to, and Ordered the ſame accordingly.

Sir *Ellis Leighton* being brought to the Bar by the Keeper of *Newgate*, *Titus Oates* was called in, and did look on him, and was asked if he knew him, to which he ſaid he had no Perſonal knowledge of him, nor hath converſed with him, and if he hath ſeen him before it was in another habit, but he ſaid that *Letters* from *Le Cheſe* to the Colledge at St. *Omers* expreſſed, that Sir *Ellis Leighton* was inſtrumental with Mr. *Coleman* in carrying on the Deſign.

Then Sir *Ellis Leighton* ſaid to this effect, that he being in *France* when he intended to come for *England* with the Earl of *Sunderland*, came as ſoon as he was able (hearing of the Deſign) with intent to ſerve His Majeſty, that he never before now ſaw or heard of *Titus Oates*, he ſaid he may be guilty of indiſcretion, but he is not guilty of any ill intention, that he hath lived in trouble ſome times, but deſires he may Dy in Peace, and ſo was Ordered to withdraw.

Upon

Wpon conſideration had thereof, the Houſe Ordered that Sir *Ellis Leighton* do preſently enter into a Recognizance to appear when he ſhall be required, and he being called in again, did enter into a Recognizance as followeth.

Memorandum quod Ellis Leighton *miles recognovit ſe debere Domino Regi mille libras levari ex terris, tenementis, bonis & catallis ſuis ad uſum Domini Regis.*

The aboveſaid condition of the Recognizance is, that if the aboveſaid Sir *Ellis Leighton* Knight ſhall appear Perſonally before the Lords in Parliament, when he ſhall be thereunto required by this Houſe, then this Recognizance to be void, otherwiſe to ſtand in full force and vertue.

Whereas Sir *Ellis Leighton* Knight a Priſoner in *Newgate*, was this day brought to the Bar by the Keeper of *Newgate*, and there heard what he had to ſay upon what *Titus Oates* had to ſay againſt him, and upon conſideration had thereof, the ſaid Sir *Ellis Leighton* did preſently enter into a Recognizance of one thouſand pound to the Kings Majeſty, to be levyed on his goods, lands and tenements, to the uſe of our Soveraign Lord the King, upon condition that if he the ſaid Sir *Ellis Leighton* ſhall appear before the Lords in Parliament, when he ſhall be thereunto required by this Houſe, then this his Recognizance ſhall be void, or otherwiſe to ſtand in full force and vertue, it is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Sir *Ellis Leighton* be and is hereby diſcharged from his preſent Impriſonment in *Newgate*, and this ſhall be a ſufficient Warrant on that behalf.

Walter James was called in and entred into the Recognizance following.

Memorandum quod Walterus James *Arm recognovit ſe debere Domino regi mille libras levari ex terris, tenementis, bonis & catallis ſuis ad uſum Domini regis.*

The Condition of the aboveſaid Recognizance is, that if the ſaid *Walter James* ſhall appear Perſonally before the Lords in Parliament, when he ſhall be thereunto required by this Houſe, then this Recognizance to be void, otherwiſe to ſtand in full force and vertue.

The Houſe being moved on the behalf of *Nicholas Plunket* of *Dunſoghly* in the Kingdom of *Ireland*, that he may have liberty to come and ſettle his Affairs in Town, and to paſs away to *Ireland*, it is Ordered, by the Lords Spiritual and Temporal

poral in parliament Aſſembled, that the ſaid *Nicholas Plunket* be and is hereby authorized and permitted to come and ſtay in Town, for ten days next after his coming to Town, and no longer for ſettling his Affairs here, and then to repair with two Servants *viz.* *James Plunket* and *Edmond Leinagh* to any of His Majeſties Sea-ports of this Kingdom, and to paſs thence into the Kingdom of *Ireland* without the let, ſtay or interruption of any Perſon or Perſons whatſoever, and this ſhall be a ſufficient Warrant on that behalf.

Upon Report made by the Earl of *Eſſex* from the Lords Committees appointed to examine Perſons and Papers, that their Lordſhips have peruſed the *Papers* lately delivered to them (by His Majeſties Order) by one of the Clerks of the Councel and deſire the direction of the Houſe for the diſpoſal thereof, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Papers* ſhall be returned to the Clerk of the Councel, by whom they were delivered to the ſaid Lords Committees.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. *Charles Gifford*, *Francis Yates* and his Wife, *William Penderel*, *John Penderel*, *Richard Penderel*, *Humphrey Penderel*, and *George Penderel*, Mr. *Thomas Whitegrave* of *Moſely*, *Colonel William Carlos*, and Mr. *Francis Reynold* of *Carleton* in the County of *Bedford*, who were Inſtrumental in the preſervation of his Majeſties Perſon after the battle of *Worceſter*, or ſuch of them as are now living ſhall for their ſaid ſervice live as freely as any of His Majeſties Proteſtants Subjects, without being lyable or ſubject to the penalties of any of the Laws relating to Popiſh Recuſants, and that a Bill be prepared and brought into this Houſe for that purpoſe, and the name of Mr. *John Huddleſton* be inſerted therein.

Die Lunæ 9. Decembris 1678.

UPon Report made from the Lords Committees for Examining *Papers*, that upon peruſal of the Lord *Arundel* of *Warders Papers*, their Lordſhips find ſome which may be of uſe at the Tryal of the Lords, who are impeached by the Houſe

Houſe of Commons, and crave directions from the Houſe, whether they may deliver them to a Committee of the Houſe of Commons, appointed to prepare Articles of Impeachment againſt the ſaid Lords, it is Ordered, that the Lords Committees ſhall cauſe the ſaid *Papers* of the Lord *Arundel* of *Warder*, to be inventoried by the Clerk attending them, and then deliver them to the ſaid Committee of the Houſe of Commons.

Upon Report made by the Earl of *Eſſex* from the Lords Committees, appointed to conſider of the Bill diſabling Popiſh Recuſants, to exerciſe certain Trades and occupations, that the ſaid Order for drawing the Bill is ſhort of attaining the end intended (*viz.*) that no Common or Civil Lawyers, Attorneys, Proctors, Sollicitors, Phyſitians, Apothecaries, Chirurgeons, nor Midwives ſhall be permitted after conviction of Popiſh Recuſancy, to exerciſe their callings any where in *England* nor to remain in Town, and that no Tradeſman whatſoever of His Majeſties natural born ſubjects being convict Popiſh Recuſants, ſhall after a time limited be permitted to live in *London*, *Weſtminſter*, or the Suburbs or Liberties thereof, it is Ordered, that their Lordſhips aſſiſted by Mr. Juſtice *Atkins* do fit the Bill accordingly, and then report it to the Houſe.

It was moved, that a ſmall Addition may be made to the Addreſs to His Majeſty, concerning the Lord *Audley* the 30*th*. of *November* laſt, which being agreed to, the Addreſs with the ſaid Addition followeth.

The Lord *Audley* a Member of this Honſe refuſing to take the Oathes, and ſubſcribe the Declaration preſcribed by the Act of Parliament lately paſſed, and having taken his leave of their Lordſhips, and expreſſing his great duty to His Majeſty, and the welfare and Peace of this Kingdom, to the great ſatisfaction of the whole Houſe, the Houſe commanded the Lord Chancellor to recommend the Lord *Audley* from this Houſe to His Majeſty, for his favor and grace conſidering his Antient Deſcent, and the great Actions done by his Anceſtors in *France* in former times, and the ſmall Eſtate and Fortune left to his Family by reaſon of his Fortune ſpent in that ſervice by his Anceſtors.

Upon reading the Petition of *Nathan Rogers*, now in the Cuſtody of the Serjeant at Armes attending this Houſe, praying that he may be diſcharged, ſubmitting himſelf to the Judgment of this Houſe, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Nathan Rogers* ſhall be brought to the Bar of this Houſe, to

morrow

morrow at ten of the Clock in the Forenoon by the Serjeant at Armes, and there be heard what he hath to say for himself.

A Message was sent to the House of Commons by Sir *William Beversham* and Sir *John Hoskins*, to desire a present Conference in the Painted Chamber upon matters of importance.

The Lord Privy Seal Reported, what the Committee had prepared to be delivered at this Conference, which was read as followeth.

The Lords have desired this Conference with the House of Commons to acquaint them, that being informed that His Majesty hath sent Orders, for withdrawing the Forces out of *Flanders* in Order to their disbanding, many difficulties and dangers do occur to their Lordships, if such Rules and Orders be not established by consideration and advice of both Houses, that the disbanding may be made with safety, which their Lordships conceive cannot be by bringing such a power together to the Forces already here, and do therefore purpose that the Forces here may not be increased by the accession of more from abroad, but that a proportionable number of those here may be disbanded before the Regiments from *Flanders* shall arrive, and that after consideration hereof by the Commons, by joynt advice of both Houses a Reglement may be made accordingly.

Agreed to.

The Lord Chancellor Reported His Majesties Answer to the Addresses of both Houses for securing Popish Recusants, and His Majesty will issue out a Proclamation as is desired.

Die Martis 10. *Decembris* 1678.

ORdered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Lord Chancellor do forthwith write *Letters* to all the Peers and Prelates, Members of this House, who have not taken the Oathes of Allegiance and Supremacy and Subscribed the Declaration in the Act lately passed, obliging them thereunto, requiring the said Lords

Lords to come and attend His Majesties service in the House of Peers, intimating in the said *Letters*, that such of the said Lords as are within Fifty Miles of this place do give their said attendance within one week after their receipt of the *Letters* to them respectively sent, and that those Lords who are at a greater distance from this place give their attendance within a Fortnight next after their receipt of the said *Letters*, and that every of those Lords who through Age or Sickness cannot come up do within the times to them respectively limited for their attendance, send two credible Persons to attend this House, to avow upon Oath at the Bar the true cause why such Lord cannot attend this House according to his summons.

Ordered. That the House be put into a Committee to Morrow Morning, to proceed in consideration of heads for the preserving the Kings Person and his Government, and securing the Protestant Religion.

Die Mercurii Undecimo Decembris 1678.

Ordered, By the Lords Spiritual and Temporal in Parliament Assembled, that His Majesties writ of *Habeas corpus ad testificandum* be directed to the Sheriff of *Bristol*, for bringing *Dominico Gratiano* before the Lords in Parliament, to testify against *Josephus Georgerine* concerning Dangerous words uttered by the said *Josephus Georgerine*.

Upon reading the Petition of Captain *Francis Spalding* a Prisoner in the Kings-Bench by Order of this House, praying he may have his Liberty upon Bail. It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords Committees for examining of Persons and Papers do examine and sum up what the said *Francis Spalding* stands charged within this House, and makes Report thereof to the House to morrow Morning.

Hodie prima vice lecta est Bila, an Act for the more effectual preventing the sending or going of the Children of Popish Recusants beyond the Seas.

The House was adjourned into a Committee during pleasure to proceed in considering of heads, for preserving the Person of His Majesty and his Government, and securing the Protestant Religion, the House was resumed.

The Earl of Bridgwater *Reported the Committee are of Opinion, that an Act or ſome clauſe of an Act may be prepared to declare, that ſuch Perſons as ſhall turne from the Popiſh Religion to the Proteſtant Religion, from a day to be named in that Act ſhall be free from the Penalities of all Statutes againſt Popiſh Recuſants, but ſhall not be capable of any Office or Imployment, Civil or Military, or be Head of a Houſe in either of the Univerſities for the ſpace of two years next following.*

That proviſion by an Act or ſome clauſe of an Act may be made that the Declaration compriſed in the Act lately paſſed the Royal Aſſent, ſhall be made and ſubſcribed by all great Officers once a year.

Which Report the Houſe agreed to.

Die Jovis 12. *Decembris* 1678.

HOdie ſecunda vice licita eſt Billa, an Act for the more effectual preventing the ſending or going of Children of Popiſh Recuſants beyond the Seas.

The Earl of *Eſſex* Reported, that the Committee have conſidered the Bill againſt Popiſh Recuſants exerciſing certain Traids, wherein there are ſo many alterations made that the Committee were forced to write over a new, the ſaid Bill fair written was read, and compared with the firſt draught, but there being ſeveral other amendments Offered, the Houſe was put into a Committee to conſider of them and make them agreable to the Bill, the Houſe being reſumed, the Lord Privy Seal Reported the amendments which were read and agreed to, and the Bill Ordered to be engroſſed with thoſe amendments.

A Meſſage was ſent to the Houſe of Commons by Sir *William Beverſham* and Sir *Edward Lowe* to put them in minde of the Bill formerly ſent down, for the Conviction of Popiſh Recuſants.

Ordered. *By the Lords Spiritual and Temporal in Parliament Aſſembled, that the reſpective Governours and Maſters of the ſeveral Conduits, Water-works and Water-pipes, uſed for the ſervice of the Cities of* London *and* Weſtminſter *and the reſpective liberties thereof, be and they are hereby required to take ſpecial care that no Papiſt or reputed Papiſt be by any of them entertaind in any kind of ſervice belonging to the ſaid Conduits, Water-works*

Water-works or Water Pipes, as they and every of them will answer the contrary to this House.

The Lord Viscount *Newport* Reported His Majesties answers to three Addresses of this House presented him *viz.*

1. *That for preventing the scandalous resort of Numbers of His Majesties Subjects, to the Chappels of forreign Ministers residing here.*

His Majesty hath given Order for the remedying thereof.

2. *To that for a List of the Numbers Names and Places of aboade, of the Priests belonging to forreign Ministers.*

His Majesty hath appointed Mr. Secretary *Coventry* to go to the said Minister for such a List as is desired.

3. *To that for an account of the Papists in* White-hall, *and the Verge thereof and* Summerset house.

His Majesty saith, that a List of them shall be speedily brought in.

4. *To that of tendering the Oaths to Lawyers, Phisitians and Apothecaries.*

His Majesty hath given Order for issuing Commissions, for administring the Oaths as is desired.

Ordered. By the Lords Spiritual and Temporal in Parliament Assembled, that the Lords with White Staves do attend His Majesty humbly to desire him from this House, that His Majesty will be pleased to signify to the forreign Ministers residing here, that all such Persons as are their proper Servants may reside in their Families, and that no Persons being His Majesties Subjects and exercising any Trade here may plead the priviledge of being their servants, and also that by His Majesties Royal Mediation, the *English* Factories in forreign parts may have Chaplaines professing the Protestant Religion allowed to them, and that His Majesty will be pleased to take Order that no Agents, Residents or Consults may be imployed abroad, but such as are Protestants, and lastly that His Majesty will be pleased to take into his special care the Protestant interest abroad.

Upon Report from the Lords Committees for examining Persons and Papers for the Discovery of the Horrid Design against His Majesties Person and Government, that they have received and read a Petition of Sir *George Charnocke* Serjeant at Arms attending this House, shewing that he hath apprehended several Persons ingaged in the said design, and hath not any place to secure them in while they attend the pleasure of the House, or of the said Committee but in the Painted Chamber, which being constantly filled with Pages, Lacquees and all sorts of people, he cannot sufficiently secure his Prisoners there

notwithſtanding the vigilancy and care he and his Deputies can uſe, and therefore praying that ſome convenient place neer the Houſe of Peers may be aſſigned to him for that purpoſe. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby recommended to the Lord high Chamberlain of *England*, to appoint ſome ſuch place to the ſaid Serjeant at Arms for the purpoſe aforeſaid, during this preſent neceſſity as his Lordſhip ſhall think fit.

Upon information given to this Houſe that the Sheriffs of the County and City of *Briſtol*, who by Order of the 30*th* of *November* laſt were required to ſend up *Dominico Gratiano* in ſafety from *Briſtol* to attend the Houſe of Peers, expreſs their willingneſs to Obey the ſaid Order, but doubt whether ſuch ſending up the ſaid *Dominico Gratiano* (who is now a Priſoner in *Newgate* there for debt) ſhould not be accounted an eſcape in Law, for which the ſaid Sheriffs muſt be anſwerable to the Creditor upon conſideration had thereof. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Sheriffs do take care forthwith to ſend up the ſaid *Dominico Gratiano* from *Briſtol* to attend this Houſe with ſuch Keeper or Attendance as the ſaid Sheriffs ſhall think fit, for ſecuring the ſafe return of the ſaid *Dominico Gratiano* to *Briſtol*, when he hath been heard before this Houſe upon his Depoſitions againſt *Joſephus Ceorgerinc*, and that the bringing up and returning the ſaid *Dominico Gratiano* ſhall be allowed to the ſaid Sheriffs upon their account in the Exchequer, and this ſhall be a ſufficient Indemnity or Warrant on that behalf.

This Houſe being moved by the Lords Committees appointed to examine Papers concerning the Horrid Deſign againſt His Majeſties Perſon and Government, that a blanck Warrant may be iſſued and ſigned by the Clerk of the Parliament, for ſeizing ſome Papers which may make further Diſcovery thereof, and that their Lordſhips may be intruſted to inſert the place to be ſearched for the ſaid Papers, and alſo the Names of the Perſons who ſhall execute the ſaid Warrant to prevent a Diſcovery of the intended ſeizure upon conſideration had thereof. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that ſuch a blanck Warrant ſhall be iſſued as is deſired, ſo as the ſaid ſearch be not to be made in the houſe of any member of either Houſe of Parliament, which their Lordſhips aſſured the Houſe they would take care of.

Die

Die Veneris 13. *Decembris* 1678.

THis day *Daniel* Lord *Holles* took the Oaths of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act for the more effectual preſerving His Majeſties Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

Hodie tertia vice licita eſt Billa, an Act diſabling Popiſh Recuſants, to exerciſe certain Traids and Occupations.

The queſtion being put whether this Bill ſhall paſs, it was reſolved in the affirmative.

A Meſſage was ſent to the Houſe of Commons by Sir *William Beverſham* and Sir *Edward Lowe*, to deliver the Bill for diſabling Popiſh Recuſants to exerciſe certain Traids and Occupations, and deſire their Concurrence thereunto.

Edward Whitaker being called for to anſwer the charge againſt him ſent up from the Major of *Worceſter*, but being not to be found. It is Ordered, that if the ſaid *Ed. Whitaker* come not and render himſelf before the Houſe Riſes he ſhall be attached, and he not coming. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Arms attending this Houſe or his Deputy do forthwith attach the Body of *Edward Whitaker* of *London* Gentleman, and bring him in ſafe Cuſtody to the Bar of this Houſe to morrow Morning to anſwer to the informations put into this Houſe upon Oath againſt him, and this ſhall be a ſufficient Warrant on that behalf.

The Houſe was adjourned into a Committee during pleaſure to proceed further in conſidering of Heads, for preſerving the Perſon of His Majeſty and his Kingdom and ſecuring the Proteſtant Religion.

The Houſe being reſumed the Earl of Bridgewater *Reported that the Committee having proceeded further are of Opinion, that an Act or ſome clauſe of an Act may be prepared to provide that all ſuch Perſons as ſhall be perverted from the Proteſtant Religion to Popery, ſhall be ſhipped away never to return into this Kingdom, nor ſhall inherit the Eſtates of their Anceſtors here, but the Eſtates to go to the next of Kindred to them who are Proteſtants.*

That all the Lawes now in force concerning either Perſons perverting or Perſons perverted, from the Proteſtant Religion to Popery, be continued in the ſame force they now are,

And that the Judges who ſhall be appointed to frame

theſe Heads into an Act, take care that nothing therein to be contained may interfere with any of the Lawes now in being concerning this point.

Die Sabbati 14. *Decembris*, 1678.

THis day *John* Earl of *Briſtol* took the Oaths of Allegiance and Supremacy, and made and Subſcribed the Declaration in purſuance of the late Act, for the more effectual preſerving His Majeſties Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

Upon reading the Petition of *John Thimbleby* Eſquire, now Priſoner in the *Kings Bench*, as being charged to be knowing of the Horrid Deſign againſt His Majeſties Perſon and Government, ſhewing how unexpreſſibly he is prejudiced in his health and otherwiſe by his impriſonment, and that he will be ready to attend this Houſe upon any Summons. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, upon the Prayer of the Petitioner that he may be ſet at liberty for the recovery of his health, that the ſaid *John Thimbleby* ſhall be brought to the Bar of this Houſe by the Keeper of the Priſon of the *Kings-Bench*, to enter into Recognizance to His Majeſty for his appearance upon Summons, and this ſhall be a ſufficient Warrant on that behalf.

Whereas *Edward Whitaker* was this day brought to the Bar by the Serjeant at Arms attending this Houſe, to anſwer to the informations againſt him which he denies, alledging that he hath witneſſes to clear himſelf from the matters charged on him, upon conſideration had thereof. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Edward Whitaker* may and ſhall have an Order for Summoning his ſaid witneſſes to be heard *Viva Voce* on the ſecond Day of the ſitting of the Parliament, next after *Chriſtmas* if he deſires it, at which time alſo the witneſſes who have informed againſt him ſhall be Summoned to be heard *Viva Voce*, and that in the mean time the ſaid Serjeant at Arms ſhall deliver the ſaid *Edward Whitaker* into the Priſon of *Newgate*, there to remain in ſafe Cuſtody till further Order, and this ſhall be a ſufficient Warrant on that behalf.

Upon reading the Petition of *Richard Groſvenor* Eſquire, ſhewing that in Obedience to His Majeſties late Proclamation

on he hath removed himſelf above Ten miles from *London*, and being deſirous not to give any diſquiet to His Majeſties Peace or the Government, therefore praying that he may have leave to depart out of this Kingdom. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Richard Groſvenor* be and is hereby authorized and permitted to repair to any of His Majeſties Sea Ports of this Kingdom, and to paſs thence into *France*, *Holland* or any other Forreign parts out of His Majeſties Dominions within ten Days after the date hereof, without the Let, ſtay or interruption of any Perſon or Perſons whatſoever, and this ſhall be a ſufficient Warrant on that behalf.

Whereas *Henry Barneſly* who was by Order of this Houſe ſent for from the Goal in *Worceſter*, was this day brought to the Bar by the Serjeant at Arms attending this Houſe and there examined being ſuppoſed to be a *Popiſh* Prieſt. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Henry Barneſly* ſhall by the ſaid Serjeant at Arms or his Deputy or Deputies be returned into the Goal in *Worceſter*, there to remain in ſafe Cuſtody till he ſhall be thence delivered by due courſe of Law, and this ſhall be a ſufficient Warrant on that behalf.

Die Lunæ 16. *Decembris* 1678.

THis day *Thomas* Lord *Cromwell* took the Oaths of Allegiance and Supremacy, and made and Subſcribed the Declaration in perſuance of the Act for the more effectual preſerving the Perſon of His Majeſty and his Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

The Houſe being moved that the Earl of *Eſſex*, the Earl of *Shaftesbury* and the Lord *Viſcount Hallifax* may repair to *Newgate* for examining a Priſoner there, from whence it is hoped ſome light may be had for further diſcovery of the horrid Deſign againſt His Majeſties Perſon & Government. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Earl of *Eſſex*, the Earl of *Shaftesbury*, and the Lord *Viſcount Hallifax*, have leave hereby given them to repair to *Newgate* to examine any one of the Priſoners there, in Order to ſuch Diſcovery as is aforeſaid.

Upon Oath made at the Bar of this Houſe, that *George Oſ-*

born Bricklayer hath been duly Summoned by an Order of the Lords Committees appointed, to examine Persons and Papers relating to to the horrid Design against His Majesties Person and Government, to attend their Lordships this Morning which he hath neglected to do. It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Arms attending this House, or his Deputy shall attach the Body of the said *George Osborn* and bring him in safe Custody before the Lords Committees to morrow Morning at Nine of the Clock, in the Lord Privy Seals Lodgings near the House of Peers, and this shall be a sufficient Warrant on that behalf.

Whereas *John Thimbleby* Esquire a Prisoner in the *Kings-Bench* as being charged to be knowing of the horrid Design against His Majesties Person and Government, having by his humble Petition represented to this House how much he is prejudiced in his health and otherwise, and that if he may by the favor of this House have his liberty, he will be ready to appear upon any summons, was thereupon this day brought to the Bar by the Keeper of the Prison of the *Kings-Bench*, where he hath entred into a Recognizance of One thousand pound to the Kings Majesty, Conditioned that he the said *John Thimbleby* will appear upon summons when ever he shall be thereunto required by this House. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the said *John Thimbleby* be and is hereby discharged from his present imprisonment in the *Kings-Bench* for the cause above mentioned, paying his Fees due to the Officers attending this House, and this shall be a sufficient Warrant on that behalf.

The Speaker acquainted the House that the Lord Chancellour having (according to the directions of this House) written Letters to all Lords who are absent, his Lordship hath received two Letters of answer, one from the Duke of Newcastle, *and the other from the Lord Viscount* Compden, *and* Thomas Palmer *and* Bartholomew Rudle *servants to the said Lord Viscount* Compden, *deposed at the Bar upon their Oaths, that his Lordship was so sick that he was not able to stir him in his Bed, and Company to watch with him every Night, and they did beleive his Lordship could not come to* London *without danger of his life, which excuse the House allowed of.*

A Question was propoſed whether that a Meſſage ſhould be ſent to the Houſe of Commons to mind them of bringing up Articles againſt the Lords they have impeached in ſome convenient time.

Then

Then this previous Queſtion was put whether this Queſtion ſhall be now put, it was reſolved in the Negative.

Die Martis 17. *Decembris* 1678.

THis day *Nicholas* Earl of *Thannet* took the Oaths and Subſcribed the Declaration in perſuance of an Act, for the more effectual preſerving the Perſon of His Majeſty and his Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

The Earl of *Huntingdon* Reported, that the Committee have conſidered the Bill againſt ſending the Children of Papiſts to be bread in Popiſh Seminaries beyond the Seas, in which they have made ſome Amendments which were read twice and agreed to, and the Bill is Ordered to be engroſſed with the ſaid Amendments.

The Houſe being moved by the Duke of *Albemarle*, that he may have leave to go into the Country for ten Days, in Order to the publick Service of His Majeſty by ſome further Diſcovery (his Grace hopes to make) of the Plot, and that in the mean time he will be ready to attend the Houſe at a days warning when ever he ſhall have notice thereof, the Houſe gave him leave to go into the Country for ten Days for the purpoſe aforeſaid.

This Houſe being informed by the Lord Biſhop of *Durham*, that *John Fenniſon* father of *Thomas Fenniſon* now Priſoner in *Newgate*, is coming to Town in Order to his endeavouring to prevail with his Son to make ſome further Diſcovery of the horrid Deſign againſt His Majeſties Perſon and Government. It is Ordered by the Lords Spiritual and Temporal Aſſembled, that His Majeſties Attourny General have forthwith notice thereof.

Upon Report made by the Earl of *Eſſex* from the Lords Committees, for examining Perſons and Papers for the Diſcovery of the horrid Deſign againſt His Majeſties perſon and Government, that their Lordſhips have peruſed ſome *Papers*, which were ſeized at one Mr. *Collins* houſe by Warrant of Mr. Secretary *Coventry*, amongſt which they find many *Letters* and *Writings* of *Robert Pugh* a *Popiſh* Prieſt, in ſome of which are very Scandalous Reflections upon the Kings Majeſty, and deſiring the direction of the houſe for the diſpoſal thereof. It

is

is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that when their Lordſhips have perfectly Sorted and Methodized the ſaid *Papers*, they deliver them to His Majeſties Attourny General to be by him made uſe of as he ſhall ſee cauſe.

Upon Report made by the Earl of *Clarendon* from the Lords Committees for examining Perſons and Papers, for the Diſcovery of the horrid Deſign againſt His Majeſties Perſon and Government, that their Lordſhips have peruſed the *Papers* and *Writings* of the Lord *Arundel* of *Warder*, which were ſeized and by Order of this Houſe delivered into the Cuſtody of the Clerk of the Parliament, and have taken out ſuch of them as may be Evidence in Order to the further diſcovery of the horrid Deſign, and deſiring the directions of the Houſe for the diſpoſal of the Remainder thereof. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that all ſuch of the Lord *Arundel* of *Warders Papers* as are only of private concernment may be delivered by the Clerk of the Parliament, to ſuch Perſon or Perſons as the Lord *Arundel* of *Warder* ſhall appoint to receive the ſame, and this ſhall be a ſufficient Warrant on that behalf.

Upon reading the Petition of *John Gerard* now a Priſoner in the *Kings-Bench* upon Suſpition of being a *Popiſh* Prieſt, ſhewing that he is very much impaired in his health by his impriſonment and there deſtitute of means for recovery thereof, and that he will be ready to appear at any time, and therefore praying that he may have his Liberty giving ſecurity for his appearance. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *John Gerard* with the Keeper of the *Kings-Bench* Priſon attending him ſhall before any one of the Judges or any Juſtices of the Peace give very good ſecurity in the Sum of Two hundred pound for his appearance, from time to time, and thereupon he is hereby diſcharged from his preſent impriſonment in the *Kings-Bench* for that cauſe, paying his Fees due to the Officers attending this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

Upon Report made by the Earl of Eſſex *from the Lords Committees for examining Perſons and Papers, that their Lordſhips have examined* George Oſborne *a Bricklayer, who was brought before them in Cuſtody concerning ſome Arms by him cloſed up in ſome place of the Roof of the Lord Biſhop of* Winchesters *houſe at* Chelſey, *which the ſaid* George Oſborne *having upon his Oath owned the doing. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled that the ſaid* George Oſ-

borne

borne *be diſcharged, and that the Committee inquire further into this matter.*

The Earl of *Shaſteſbury* Reported, that the Lords who had leave of this Houſe to examine a Priſoner in *Newgate* had ſome ſpeech with Mr. *Langborne*, but could not get nothing from him, but found by reaſon of the great ſtrictneſs he is kept under that he did not know of the Execution of Mr. *Coleman*, the Opinion of their Lordſhips is, that the ſaid Mr. *Langborn* may have ſome liberty given him, whereby he may have ſuch acceſs of Friends as is neceſſary for him to have.

Die Mercurii 18. *Decembris* 1678.

THis day *Heneage* Earl of *Winchelſea* took the Oathes of Allegiance and Supremacy, and made and Subſcribed the Declaration in perſuance of the Act for the more effectual preſerving the Perſon of His Majeſty and his Government, by diſabling Papiſts from ſitting in either Houſe of Parliament.

Hodie tertia vice licita eſt Billa, an Act for the more effectual preventing the ſending or going of the Children of *Popiſh* Recuſants into parts beyond the Seas out of the Kings Obedience.

The Queſtion being put whether this Bill ſhall paſs, It was reſolved in the affirmative.

A Meſſage was ſent to the Houſe of Commons by Sir *Samuel Clerk* and Sir *William Child* to deliver to them the Bill to prevent the ſending of *Popiſh* Recuſants Children beyond the Seas, and of the Kings Obedience, and to deſire their concurrence thereunto.

Whereas *John Rigmagden* Servant to the Lord *Arundel* of *Warder* was by Order of the 3. of *December* inſtant committed to the Priſon of the *Gate-houſe*, for matters proved upon oath againſt him, this Houſe being this day moved that in regard he hath been in Priſon ſo long, the ſaid *John Rigmagden* may be enlarged from his impriſonment upon Bail. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *John Rigmagden* given ſufficient Bail before the Lord Chief Juſtice of *England* for his appearance from time to time, be and is hereby diſcharged from his impriſonment in the *Gate houſe*, paying his Fees due to the Officers attending this

this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

The Lord Arch-Biſhop of Canterbury *having this day brought into this Houſe a Box of Papers, which he found in his Houſe at* Lambeth *at his firſt coming thither (which was heretofore ſeized at the* Cuſtom houſe*) in which are many Papers relating to* Robert Pugh *a Popiſh Prieſt now in Cuſtody. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be referred to the Lords Committees for examining Perſons and Papers for diſcovery of the horrid Deſign againſt His Majeſties Perſon and Government, to peruſe the ſaid Papers and diſpoſe of them to Mr. Attourney General if they ſee cauſe.*

A Meſſage was brought from the Houſe of Commons by Sir *Thomas Lee* and others to acquaint their Lordſhips, that the Commons having matters of great moment before them have reſolved to ſit in the *Chriſtmas* Holy days, except on *Chriſtmas* Eve and *Chriſtmas* Day.

Die Jovis 19. *Decembris* 1678.

THis day *Charls* Earl of *Carnarvan* and *James* Lord *Norrh* took the Oaths of Allegiance and Supremacy, and made and Subſcibed the Declaration in perſuance of an Act for the more effectual preſerving the Perſon of His Majeſty and his Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

The Lord Biſhop of *Durham* acquainted the Houſe that Mr. *Fenniſon* Father to *Thomas Fenniſon* a Priſoner in *Newgate* is come to Town, and is at Door to attend their Lordſhips pleaſure, who being called in, the Speaker told him that the Houſe took Notice of his good intention in coming to Town, to try whether he can prevail with his Son to diſcover what he knowes concerning the horrid Deſign againſt the Perſon of His Majeſty and the Government, and thereupon made the enſuing Order.

Whereas *John Fenniſon* Father of *Thomas Fenniſon* now Priſoner in *Newgate*, being come to Town, hath appeared this day at the Bar and undertaken to uſe his Utmoſt endeavour to prevail with the ſaid Son, to confeſs and make diſcovery of what he knowes concerning the the horrid Deſign againſt His Majeſties Perſon and Government. It is Ordered by the Lords

Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *John Fenniſon* and alſo Mr. *Smith* a Kinſman of his, be and are hereby authorized and permitted to have free acceſs to the ſaid *Thomas Fenniſon* in *Newgate* as often as they or either of them ſhall ſee cauſe, and they are to give this Houſe an account concerning this matter, and this ſhall be a ſufficient Warrant on that behalf.

Upon the deſire of Mr. Jenniſon *that one Mr.* Smith *who is lately come off from being of the Church of* Rome, *and hath taken the Oathes of Allegiance and Supremacy, that he may be permitted to Preach. It is Ordered. that the ſaid Mr.* Smith *do attend the L. Biſhop of* Durham *and give him ſatisfaction of the reality of his Converſation and Abilities, and upon his Lordſhips Report, this Houſe will conſider what Directions to give therein.*

Die Veneris 20. *Decembris* 1678.

WHereas *Daniel Maccarty* a *Romiſh* Prieſt was by Order of the 29*th*. of *November* laſt, brought from the Goal at *Thetford* in the County of *Norfolk* by the Serjeant at Arms attending this Houſe, and is now in Cuſtody here. It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords Committees for examining Perſons and *Papers*, for diſcovery of the horrid deſign againſt His Majeſties Perſon and Government, ſhall examine the ſaid *Daniel Maccarty*, and if their Lordſhips find that he is not charged with any particulars relating to the ſaid Deſign againſt His Majeſty, he is to be remitted and left to the Law, but if otherwiſe their Lordſhips are to Report to the Houſe what they find concerning him.

Ordered, that *Henry Thorne* who was yeſterday examined before the Lords Committees be and is hereby required to attend this Houſe to Morrow at Ten of the Clock in the Forenoon.

The Earl of *Shaftesbury* Reported from the Lords Committees, for Examinations an Examination of *Henry Thorne* which was read as followeth.

The examination of *Henry Thorne* of *Ipſwich* in *Suffolk* taken upon Oath the 19 Day of *December* 1678. before the Lord Chief Juſtice of *England*.

This examinant ſaith, that the day before St. *Georg*'s Day

Day laſt he went from *Capel*, and on St *George's* Day in the Evening he came to Mr. *Taſbroughs* houſe called *Flixen* Hall to ſee his Brother *Thomas Thorne* then Butler to the ſaid Mr. *Taſbrough*, and at his coming thither he met with the ſaid Mr. *Taſbrough*, who bid him go into the Kitchen where his Brother came to him, who carried this Deponent into the Pantry, where he told him that his Maſter asked him *what the Devil he came for*, but his Brother anſwered his ſaid Maſter that he came to ſee him, not having heard from him ſince his Mother and He were there, whereupon his Maſter replied *what the the Devil in Hell comes he for, for he was ſure he comes for no good*, this Deponent further ſaith that his ſaid Brother charged him not to go to ſupper with the Servants, whereupon he locke him in the Pantry were he kept him two or three Houres, and after he came to him again told him he would have him to a houſe where he ſhould have Bacon and Eggs, and then carried him to Mr. *Manclarks* houſe a mile and a half from the ſaid Mr. *Taſbrough* where he lodged that Night, and the next Morning brought him back to the ſaid Mr. *Taſbroughs* and gave him cold meat to Eat, and after that he had the Deponent into the Pantry and fetch him a pott of Bear and bid him ſtay there, while he went to roule a back Yard, and he would come to the Deponent again, but his Brother going into the ſaid back Yard, this Deponent followed him, *his ſaid Brother bid him for the Lords ſake not to come in here, for if his Maſter ſaw him he would be ready to kill him his ſaid Brother*, whereupon the Deponent deſired to come in to look into the brave Rooms, his Brother replied that no Body comes into that Yard in a Twelvemoneth, except their own Company, but when his Brothers back was turned to roule the ſaid Yard the Deponent looked in at ſome windowes where he ſaw nothing, but going to another part of the ſaid Yard to look into another window, his Brother called him, *for the Lords ſake not to go that way, for if his Maſter ſhould ſee him his* (the Deponents Brothers) *Life would not be worth a farthing*, but notwithſtanding this, when his Brothers back was again turned, the Deponent looked into a Room on that ſide of the Yard, *where he ſaw as near as he can gueſs about the number of Foure or Five Hundred Muskets and Piſtols, very bright, their Murals ſtopt with paper and a great number of Swords and Belts fringed with Lew, and Bandaleers as he thought agreable to the number of the Musquets, he ſaw there likewiſe a Cheſt open made with Deal boards about a yard and half long, and a yard over full of new made Bullets*, he further ſaith, that his Brother perceiving what the Deponent had ſeen ſaid, *for the Lords ſake do not*

ſpeak

ſpeak a word of what he had ſeen, for if you do my life is not worth a farthing. Whereupon his Brother had him into the Pantry where they drank together, and afterwards his Brother went a bout three Miles on the way home with him, where diſcourſing on the way, the Deponent asked him, *what is the intent of thoſe Muskets and Piſtols, he told him he muſt not tell, unleſs he would promiſe not to tell again, and the Deponent promiſing not to tell, his ſaid Brother told him that he carried him away laſt Night, becauſe there were Soldiers to be exerciſed there that Night.* Then the Deponent asked him what do you do exerciſing, he replied he muſt not tell him, but I would have you know that we ſpend more Beaf beſides ſmall meat in our houſe than you do in all your Town. *And after ſom other words he told the Deponent, that they ſpent two or three and twenty Score of Beaf at leaſt a week, and thereupon he gave the Deponent a Shilling and bid him ſay nothing of what he had ſeen or heard, then the Deponent asking his Brother again what their intention was by thoſe Arms, he anſwered, that there is but one God and there ſhould be but one King and one Religion, and him that you call our Pope we hope ſhall be our King before* Michaelmas *Day, whereupon clapping his hands together, he ſaid he was ſworne to be true to their Religion (he being a Papiſt) and theſe hands of his muſt help to cut off the Kings head and cut him into Four quarters, whereupon they parted, and the Deponent being troubled in mind related within two or three days after to ſeveral People, what he had ſeen and heard, except what relates to the Murther of the King, and he deſired his Neighbours to whom he related it, that they would have him before a Juſtice of Peace to be examined*

The mark of *Henry Thorne.*

Capt. & jurat 19. Decembris 1678.
coram me William Scroggs.

John Whithipol of *Topcraſt* in the County of *Norfolk* Gentleman maketh Oath, that in *Auguſt* laſt paſt being Hawking in the Park of *Richard Talbrough* of *Flixen* in the County of *Suffolk* Eſquire, and not far from the *Manſion* houſe of him the ſaid *Richard Scituate* in the aforeſaid Park in *Flixen* aforeſaid, he this Deponent did ſee a waggon tilted over with white Cloath ſtanding juſt by the Staires leading to the aforeſaid *Manſion* of the ſaid *Richard*, out of which ſaid waggon a certain Perſon to this Deponent unknown delivered a certain Gentleman then and there preſent (whoſe name this Deponent knoweth not) about ſeven or eight Muskets or Carbines, five or ſix Gorgets, ſix or ſeven Back and Breaſt plates coupled together, and a bunch of Javelins or Leaders Staves bound together, and wrapt up ſo that this Deponent could not tell how many

many there was of them, and further this Deponent saith, that he Riding up nearer to the said waggon, one of the Gentlemen then and there present, then first seeing him this Deponent (as he verily believes) Swore God dam me what son of a whore is yonder, and said that he would shoot this Deponent and thereupon he being in fear did Ride away, and did not see the said waggon fully unloaden, and further this Deponent saith that he spoak of what he had seen the same Night, and afterwards to several Persons, no regard being had to the same by any man till after *Michalmas* last past, though the said *Richard* is a notorious Recusant, and also of a great Estate (as this Deponent believeth) but that after *Michaelmas* aforesaid, the said *Richard* Arrested this Depohent by a Warrant from Sir *Peter Gleane* one of His Majesties Justices of Peace of the County of *Norfolk*, and carried him this Deponent before the said Sir *Peter*, where he offered to make Oath of the premises, but it was refused by the said Sir *Peter*, and this Deponent required to find sureties for his appearance at the next Sessions to be holden at *Norwich*, for the said County of *Norfolk*, which he this Deponent did accordingly, and was and still stands bound over by the said Sir *Peter* which tends to the utter Ruine of this Deponent, he being indebted to several Persons and therefore affraid he should be Arrested, and imprisoned upon his said appearance.

John Withipol

Jurat. coram me Edm. Bolum un. justic. Domini Regis ad pacem in com. Suff prad. conservandum assignat. &c Septimo Die mensis Decembris Anno Regni Domini nostri Caroli secundi &c. 30m. Anno Domini 1678. apud Westhall in com. prad. *Edmund. Bolum.*

Upon information given to the House, that *Thomas Thorne* now or late servant to *Richard Tasbrough* Esquire, hath uttered Dangerous and Treasonable words, and that he is at present in Custody in the Goal at *Berry* in *Suffolk*. It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Arms attending this House, or his Deputy or Deputies shall forthwith repair to *Berry* and bring thence the Body of the said *Thomas Thorne*, in safe Custody to the Bar of this House to answer thereunto, and this shall be a sufficient Warrant on that behalf.

Upon information given to this House, that Sir *Peter Gleane* one of His Majesties Justices of Peace, for the County of *Norfolk* about *Michaelmas* last past, refused to take the Deposition of *John Withipol* for the Discovery of Arms conveyed into the house of *Richard Tasbrough* Esquire, a notorious Recusant

ſant but bound the ſaid *John Wiſhipol* to appear at the next Seſſions at *Norwich*, at the ſuit of the ſaid *Richard Taſbrough* It is Ordered by Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Sir *Peter Glean* be and is hereby required to appear at the Bar of this Houſe within four Days next after notice given him of this Order, to anſwer to the ſaid Information, and hereof he may not fail.

Mr. *Jenniſon* gave the Houſe an account that he hath been with his Son *Thomas Jenniſon* a Priſoner in *Newgate*, and hath preſt him what he can to diſcover what he knowes concerning the horrid Deſign againſt the Perſon of His Majeſty and his Government, and he finds him to be a mad man, and ſo cannot give any account of any thing, hereupon the Houſe diſmiſſed Mr. *Jenniſon* from any further Attendance.

Ordered, that the Serjeant at Arms do bring *Richard Taſbrough* to this Bar to morrow Morning at Ten of the Clock.

Die Sabbati 21. *Decembris* 1678.

THe Earl of *Eſſex* Reported from the Committee appointed to examine Perſons and Papers, for the diſcovery of the horrid Deſign againſt His Majeſties Perſon and Government an examination of *Richard Gaſtrel*, which was read as followeth.

The examination of *Richard Gaſtrel* of the *Grange* in *Glouceſter ſhire* Gentleman ſworn the 20th. of *December* 1678. before the Lord Biſhop of *London*.

This Deponent ſaith, that in the Year 1675. he Travelled to *Rome*, and being there, he was by many Arts and Perſwaſions inveagled into the *Romiſh* Religion, after which he was entertained by Cardinal *Barberini* as one of his Gentlemen, where after he had continued about five Moneths he was prevailed with by ſeveral *Engliſh* there, and by the ſaid Cardinal to put himſelf in the *Engliſh* Seminary, where after he had continued about two years and an half he returned home, but whilſt he was in the ſaid Colledge, to witt, in *Lent* laſt diſcourſed with *Gerard*, *Ireland* and *William Denmour* (Prieſts now in *England*) the ſaid *Ireland* told him that the *Catholicks* of *England* had expected long enough from His Majeſty without effect, and that it was in vaine to expect any longer, *that the King had been more Obliged to the* Catholicks, *and that he*

had now forgot their Kindneſs, that he did no good in England nor did deſerve to be King, but was a Shame to all Princes, and that it was no Sin to Kill him, to which one Serjeant a Scholar replied, why, the ſaid Ireland anſwered becauſe it would be for the good of the whole Church, for that if the King were dead, Catholick Religion would ſoon be brought into England.

And diſcourſing further of their going into *England*, the ſaid *Ireland* and *Denmour* ſaid they hoped each of them to get a good fat Parſonage there.

This Deponent further ſaith, that having an Audience of the Pope in the Company of four Prieſts, and another ſecular Gentleman all Students of the ſame Colledge, the Pope underſtanding they were going for *England*, and being deſirous to know their ſeveral States and Conditions, and having demanded of Father *Campion* who conducted them to the Pope, whether they were all Prieſts, and underſtanding by the ſaid *Campions* anſwer, that two of them were ſeculars, he asked of the ſaid two their deſign of going into *England*, whether they intended there to be Soldiers, for that they were very fit for the ſame.

This Deponent further ſaith, that in the beginning of *May* laſt, a few days before his coming away from *Rome*, he waited on Cardinal *Barberini*, whom he found ſick on his Bed, where coming to him, he bid the ſaid Deponent at parting, (the Rector being preſent) take care to be true and faithful and ſerve the Duke of *York*, which the Rector alſo deſired him to bear in mind, that the Cardinal afterwards applying himſelf to the ſaid Rector ſaid, that if *Catholick* Religion were brought into *England* (notwithſtanding his great Age) he would go thither *Legat de latere*.

Capt. & jurat die & Annoque coram me H. London. *Richard Gaſtrell*

Upon information given to this Houſe, that *Gerard*, *Ireland* and *William Denmour Popiſh* Prieſts now in *England*, are reſident in ſome parts of *Yorkſhire* or *Lancaſhire*. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the reſpective Sheriffs of the County of *York* and *Lancaſter*, be and are hereby required to uſe their utmoſt endeavor for the diſcovery and apprehending of the ſaid *Gerard*, *Ireland* and *William Denmour*, or either of them, and for the more effectual performance hereof, the ſaid Sheriffs are to Communicate the ſame to ſome of the Juſtices of Peace of their reſpective Counties, who are alſo required within their reſpective limits to be diligent in their endeavours, for the apprehending the ſaid *Gerard*, *Ireland* and *William Denmour*,

and

and to give notice thereof to the Sheriffs of the County where-in they or either of them ſhall be apprehended, to the end, the Sheriffs forthwith ſend him or them ſo apprehended in ſafe Cuſtody to attend this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords Committees for examining Perſons and Papers concerning the horrid Deſign againſt His Majeſties Perſon and Government, be and are hereby appointed to peruſe and put together all ſuch *Papers* now before this Houſe, as their Lordſhips ſhall Judge fit to be communicated to the Houſe of Commons, in Order to the proceeding to be had againſt any Perſon to be tryed for any matter relating to the ſaid Deſign, and make Report thereof to this Houſe on *Munday* Morning.

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that *Edward Turberville*, who was lately imployed, by the Lords Committees for examining Perſons and Papers concerning the horrid Deſign againſt His Majeſties Perſon and Government, be and is hereby required to attend this Houſe on *Munday* next at Ten of the Clock in the Forenoon.

Whereas *Richard Taſbrough* Eſquire, was this day brought to the Bar by the Serjeant at Arms attending this Houſe, to anſwer to the information put in againſt him, which he denieth to be true, upon conſideration had thereof, and that there is a Warrant of the Lord Chief Juſtice of *England* iſſued, for the the apprehending of the ſaid *Richard Taſbrough* for Treaſon. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Serjeant at Arms, deliver the ſaid *Richard Taſbrough* in ſafe Cuſtody to ſuch Perſon or Perſons as the Lord Chief Juſtice of *England* ſhall direct and appoint.

Ordered, that *George Milborne* be brought to the Bar of this Houſe, by the Serjeant at Arms on *Munday* morning next, and at the ſame time Mr. *Bedloe* do attend this Houſe.

Die Sabbati 24. *Decembris* 1678. *Poſt Meridiem.*

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that *Dominico Gratiano* who is brought up by the Sheriff of *Briſtol*, be carried before the Lord Chief Juſtice of the Court of *Kings-Bench* according to

the tenour of the writt of *Habeas corpus*, that he may be remitted to the *Marſhalſea* with his cauſe, where he is to remain, to be in a readineſs to be ſent for as this Houſe ſhall ſee cauſe.

Die Lunæ 23. *Decembris* 1678.

THis day theſe Lords following took the Oathes of Allegiance and Supremacy, and Subſcribed the Declaration in perſuance of the Act, for the more effectual preſerving of His Majeſties Perſon and Government, by diſabling of Papiſts from ſitting in either Houſe of Parliament.

Henry Lord *Herbert* of *Charbury*.
George Lord *Coventry*.
James Lord Biſhop of *Worceſter*.
William Earl of *Derby*.

For as much as the Houſe was this day informed, that *Miles Prance* hath made ſome diſcovery of the Plot, and hath offered to make farther diſcovery of the Plot, and alſo touching the Death of Sir *Edmond-Bury Godfrey* and the whole manner of it, if he might firſt be fully aſſured of His Majeſties gratious and general Pardon, the Lords appointed the Duke of *Buck.* the Marqueſs of *Winton*, the Earl of *Shaftesbury*, and the Lord *Grey* of *Werk* to attend His Majeſty, to acquaint him with this matter and in the name of this Houſe, humbly to deſire him to grant to the ſaid *Miles Prance* his gratious Pardon upon his full diſcovery, and receive his gratious pleaſure thereupon, who immediatly attended His Majeſty, and returning did Report to the Houſe that His Majeſty was gratiouſly pleaſed to promiſe that *Miles Prance* ſhall have a full and general Pardon upon his diſcovery of the whole matter, whereupon it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Duke of *Buck.* Marqueſs of *Winton*, Earl of *Shaftesbury*, and the Lord *Grey De-Werk* or any three of them, do acquaint the ſaid *Miles Prance* in *Newgate* this afternoon with His Majeſties gratious Aſſurance, and that they do then and there proceed to examine him throughly in Order to a full and perfect diſcovery, and that care be taken that no other Perſon Lord or Commoner be preſent at the ſaid examination, but the ſaid Lords and the Priſoners.

Upon

Upon reading the Petition of *Henry Barneſley* now in the Cuſtody of the Serjeant at Arms attending this Houſe, ſhewing that being by Order of this Houſe brought from *Worceſter*, and by like Order to be returned thither again, and that being very old and ſickly he is not able to bear the Journey in this hard Seaſon of the year, and therefore praying that he may remaine hereupon Bail. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Henry Barneſley* (being charged to be a *Popiſh* Prieſt) ſhall by the ſaid Serjeant at Arms be delivered into the Priſon of the *Kings Bench*, there to remaine in ſafe Cuſtody till he be better able to be returned to *Worceſter* in Order to his Trial there, and this ſhall be a ſufficient Warrant on that behalf.

Die Jovis 26. Decembris 1678.

THis day *Edward* Lord *Ward* took the Oaths of Allegiance and Supremacy, and made and Subſcribed the Declaration in perſuance of the Act of Parliament, for the more effectual preſerving His Majeſties Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

The Lord Chancellour acquainted the Houſe that he had received a *Letter* from the Lord Biſhop of *Hereford*, whereby he excuſes himſelf from giving his attendance on this Houſe, in regard he is enquiring after the Diſcovery of *Combe Abbey* by their Lordſhips directions, where he hath found a Jeſuits Colledge and a Library fit for a Colledge of Jeſuits, his Lordſhip is ſtill in proſecution thereof and hopes to diſcover the Bottom of it, and becauſe thoſe ſervants as he ſhould ſend up to give their Lordſhips an account of his great Age and Infirmities, whereby he is Unable to take ſo great a Journey are imployed by him in the diſcovery of *Combe*, he begs their Lordſhips pardon for the ſame

The Lord Biſhop of *Landaffe* is excuſed for attending this Houſe for ſome time, in regard he is imployed by their Lordſhips directions in examining the Buſineſs concerning *Chepſtow* Caſtle.

Upon information given to this Houſe by the Lord *Viſcount Newport*, that one *Vallentine Harcourt* a *Popiſh* Prieſt is taken and now in Cuſtody in the Goal at *Shrewsbery*. It is Orde-

red by the Lords Spiritual and Temporal in Parliament Assembled, that the Sheriff for the County of *Salop*, be and is hereby required to take and give Order for the sending of the said *Valentine Harcourt* in safe Custody, to appear at the Bar of this House, and that the Charge of the said Sheriff shall be allowed upon his account in the Court of Exchequer, and it is further Ordered, that the Sheriffs of the respective Counties through which the said *Valentine Harcourt* shall pass in his being sent up as aforesaid, be Aiding and Assisting to the furtherance thereof as occasion shall require, and this shall be a sufficient Warrant on that behalf.

Upon complaint made to this House by William Bedloe *that he is wronged in the Publication of the Trial of* Edward Coleman *by inserting what he said not, and Omitting in part what he did say, and upon information that* Titus Oats *is injured in the same manner. It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that it be referred to the Lords Committees for examining Persons and Papers concerning the horrid Design against His Majesties Person and Government to examine the matter, and that the Lord Chief Justice of the Court of* Kings-Bench *be present, and* Titus Oats *and* William Bedloe *attending at such time as their Lordships shall appoint for this Business.*

The Duke of *Monmouth* by His Majesties Command communicated to the House, the examinations of *Miles Prance* and others taken a the Councel Table, which was read as followeth.

24*th. Decembris* 1678.

Miles Prance a Silver-smith being this day examined at Large, touching the Murther of Sir *Edmond-Bury Godfrey*, and being upon Oath Interrogated what he knew concerning the Plot, made Oath as followeth.

That he was at Mr. Irelands *Chamber in* Russel *Street sometime before* Michaelmas, *and that* Fenwick *and* Grove *being there present,* Ireland *said that there would be Fifty Thousand Men in Arms,* Prance *asking where they would be had, and what to do,* Ireland *said we must have them in a Short time to settle Religion, or else all would be Ruined.*

That soon after this, Grove *came to his Shop to buy two Silver spoons for a Christning, where he was to be Godfather,* Prance

asked

asked him what Office he should have in the Army, he answered he did not know, but asking him who was to Govern this Army, he said the Lord Powis, *the Lord* Bellasis, *the Lord* Peters *and Lord* Arundel.

And further saith, that he was also told by Mr. Fenwick *that the Lord* Powis, *Lord* Bellasis *and Lord* Arundel *were to command the Army.*

He further saith, that there came to his Shop Mr. Le-Fener *to buy a second hand sword, and being asked by him what he meant to do therewith, he answered he knew not what time they should have,* Prance *replying what then shall we poor Tradesmen do, he said when* Catholick *Religion was brought in, it would be better for Tradesmen, and particularly there would be more Church-work for Gold-smiths.*

He further saies that one Mr. Moore *that belongs to the Duke of* Norfolk, *was seen by him Riding in the Streets on a very brave Horse, upon which occasion meeting him afterwards in the Court at* Sommerset-house *and speaking of that brave Horse,* Moore *wish't that he had Ten Thousand of them, and hoped in a short time that they might have them for the* Catholick *cause.*

That one Lawrence *(an Apothecary in* Drury-Lane *Over against the end of* Queen-Street *) when the Oaths were upon tendering, wished that half the Parliament were poysoned, for they would Ruine them all.*

He further said, that he hath heard one Mr. Messenger *(that belongs to the Lord* Arundel*) say that he hoped to see the* Catholick *Religion Flourish here before it belong, and as concerning the Plot he has no more to say.*

Councel Chamber 24. *Decembris* 1678.

HIs Majesty having this Morning appointed a Councel Extraordinary, sent for *Miles Prance* a Silver-smith and Prisoner in *Newgate*, for the Murther of Sir *Edmond-Bury Godfrey*, who apearing at the Board, His Majesty was pleased to tell him that if he speak the truth, and made it good he would give him his pardon, and the said *Prance* being sworn did promise that he would faithfully open all his knowledge concerning that Murther, and did declare to the effect following.

That about a Fortnight before the said Murther he was

ſpoken to by one *Gerald* an *Iriſh* Prieſt that belonged to the *Venetian Ambaſſ.* to take place in the Killing of a man not then telling him who it was, but about a week after the ſaid *Gerald* and one *Green* an *Iriſh* man (that layes Cuſhions in the Chappel at *Sommerſet-houſe*) and *Lawrence Hill* that was formerly ſervant to Dr. *Godden.* (and who then lived at the ſame place in *Sommerſet-houſe*) did acquaint him that they intended to Kill Sir *Edmond-Bury Godfrey,* for that he was a great Enemy to the Queen or Her ſervants, and that he had uſed ſome *Iriſh* men ill, and that *Gerald* told him that they were imployed by Lord *Bellaſis* and that there would be a reward for them, that he did conſent thereunto, and the rather for ſome Malice he bore unto Sir *Edmond,* who about two years before [when he was troubled at *Hickes-hall* about *Popiſh* duties] did not conſent to his diſcharge as another Juſtice did but ſaid, that the Queen had no power of protecting her ſervants, yet that untill this motion was made him he did not think of what he had thus formerly paſt, he ſaid they had been watching him a week or a Fortnight before his death, and that *Green* had the ſame Morning called at his houſe enquiring for him of the Maid, and that the ſaid *Green, Gerald* and *Hill* did dogg him from his houſe that Morning to all the places he went to untill he came to his death. And becauſe His Majeſty thought fit for the better aſcertaining the Relation he gave touching the place and manner thereof, to appoint his Grace the Duke of *Monmouth* and the Earl of *Oſſory* to meet the Examinant at *Sommerſet-houſe,* and a Clerk of the Councel to attend, and take the information from place to place, where the things were Acted.

His Majeſty did in the Afternoon ſitting in Councel receive the following Report.

May it Pleaſe Your Majeſty.

In Obedience to Your Majeſties Order Signified to us this Morning in Councel, we have been at *Sommerſet-houſe* and there taken the Examination of *Miles Prance* a Siver-ſmith, touching the Murther of Sir *Edmond Bury Godfrey* upon the place where the ſame was committed, & by vertue of the Oath taken before Your Majeſty, he Declared as followeth.

That, it was either of the latter End or the Beginning of the week, that Sir *Edmond Godfrey* did about Nine of the Clock at Night paſs from towards St. *Clements* as far as the great Water-Gate at *Sommerſet-houſe* being watched and followed by *Lawrence Hill,* one *Green* and one *Gerald,* that *Hill* making

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ſome haſt before ſtept within the wicket, which was open and turning ſoon again called to Sir *Edmond* as he was paſſing, and ſaid, that there were two Men quarrelling within, who might ſoon be quieted if once they ſaw him, whereupon he entred through the Wicket, and after him *Green* and *Gerald*, and down all went till they came to a Bench that is at the Bottom of the ſteep Deſcent, and joyning to a Rail next, to the upper end of the Stables on the Right hand, that upon the ſaid Bench there were ſitting and attending their coming, the Examinant *Miles Prance*, one *Berry* the Porter of the other Gate together with an *Iriſh* Man that lodged at *Greens* houſe, whoſe Name he knowes not, and by that time they were come half way down, he the ſaid *Prance* went up to the Wicket, there to attend and give notice if any came, and at the ſaid time the ſaid *Berry* went ſtrait on from the Bench towards the Stone ſtaires, which lead to the upper Court, that when Sir *Edmond Godfrey* came down to the Bench, *Green* who followed him put about his Neck a large twiſted Hand-kerchief, and thereupon all the reſt aſſiſted and dragged him into a Corner which is behind the ſaid Bench and the ſaid Rail, and *Green* who informed him in the manner hereof, and with whom he had before ſeen the ſaid large twiſted Hand-kerchief, added that he had thumped him on the Breaſt and twiſted his Neck until he broak it.

And the Examinant ſaith, that he did in about a quarter of an Hour after he had been ſtanding at the Wicket come down to ſee what was done, and found that they had throtled him, but his Body remained warm and ſeemed hardly dead, but he together with the ſaid *Hill*, *Green*, *Gerald* and *Berry*, and the *Iriſh* Man took him up and conveyed him through a Door, which is on the left hand coming downe at the Corner of the Coach houſe, which leads up ſeveral Staires into a long dark paſſage or gallery opening at laſt into the upper Court, in which paſſage there is a Door on the left hand, which being opened leads up with Eight ſtaires into another houſe adjoyning, but immediatly on the Right hand being got up there is a little Cloſet or Square Room, into which they conveyed the Body, and there ſet the Body bending with the Back againſt a Bed, which the Examinant having now ſeen again thinks to be the ſame Bed that was there at the ſaid time, he further ſaid, that *Hill* lived at this houſe, and that the Body was for two days left there in his care, but then being affraid of Diſcovery, *Hill*, *Gerald*, *Green*, *Berry* and the *Iriſh* Man as they told him, did take and convey the Body from thence about Nine or Ten of the Clock at Night, and carried

it

it into the house, and into some Room towards the Garden, and that while that the Body lay there, he was by *Hill* conducted to see it, and saw the Body as it lay bended, and *Green* and *Gerald* were present.

That from thence upon a *Tuesday* Night the Body was brought back near to the place, where first it lay into a Room in the said Gallery over against the first Door somewhat higher up towards the Court, the Chamber belonging unto some of the servants of Sir *John Arundel*, where it remained until Nine or Ten of the Clock on *Wednesday* Night, and then thinking fit to remove it to the little Room where first it lay, the Examinant happened to come as they werere lifting it up the said Eight Steps, whereupon *Hill* and *Berry* fled as supposing him to be some Stranger, but *Gerald*, *Green* and the *Irish* Man stood still. And so he helped them, to lift up the Body into the former Closet, and there it continued till after Twelve a Clock the same *Wednesday* Night, *Hill* and *Berry* came to them when their Fright was over, and *Hill* having got a Sedan and placing it in the long dark Entry at the Foot of the said Eight staires, they put the Body thereinto, the Examinant *Prance* and *Gerald* first took up the Chair and conveyed it through the upper Court, *Berry* the Porter opened half the Gate and let them out, and they Rested not till they came to *Covent Garden*, where *Green* and another *Irish* Man took their Turns, and so carried the Sedan and Body in it as far as the New *Grecian* Church in the *So Ho*, and there *Hill* met them with a Horse, whereupon they took out the Body, and forcing open the Legs they set it upon the Horse, *Hill* riding behind to keep the Body up, while *Green*, *Gerald* and the *Irish* Man went on to accompany him, *Berry* the Porter did not depart from the the Gate, and the Examinant *Prance* fearing to be missed returned home when the Body was set on Horseback, and the Sedan which was left in one of the New unfinished houses, they took up and brought it home as they came back.

He further saith, that the Body lay in *Sommerset house* about six or seven Days before it was carried out, but he is not certain in the Number of the days.

He was very positive as to the place, where the Murther was committed and the manner of it, as also for the Room where the Body was first laid, but being desired to conduct us to the Room he spoak of near the Garden, he led us to the Corner of the *Piazza* on the Left hand, and so down a pair of Staires and so far seemed to be assured that he had been led, and did think that he had passed through the great Court be-

low

low, but when from thence we went up and down into ſeveral Rooms, he ſeemed very doubtful and could not aſcertain the place, ſaying that he had never been there but that once when *Hill* conveyed him thither with a Dark Lanthorn, but that it was ſome Chamber towards the Garden.

In the Houſe where the Body was firſt laid we found a Woman whoſe depoſition we have taken, ſhe was Houſe-keeper to Dr. *Godden*, and the ſaid *Hill* had been a Servant to the ſaid Doctor in this Houſe for above Seven Years, and continued to live there ſince the Doctors departure until *Michaelmas* laſt, but that he hath been there ſeveral times ſince, and ſhe alſo knew the Examinant and called him by his name.

All which is humbly ſubmitted to your Majeſty.

24. *December* 1678. *Monmouth*, *Oſſory*.

Upon reading of which report, it appeared that the particulars were very conſonant to what he had ſpoke at the Board in the Morning before his going, at which time being alſo further asked, why he gave ſo different a Relation to the Committee of the Lords from what he now ſo freely confeſſed, he made anſwer that he was in much confuſion before the Committee being not ſure of his Pardon, but now being ſure of it, and alſo upon his Oath he did ſpeak the whole truth according to his knowledg, and being further asked why he came not in upon the Proclamation and the Rewards thereof, he ſaid he was afraid to truſt thereunto, and being further asked what reward he had received from thoſe that imployed him, he ſaid he had yet received no reward nor had he ſought for any, but only the promiſe of *Gerald* that there ſhould be a reward by the L. *Bellaſis*, he ſaid that he wrought in the way of his Trade to the Queens Chappel and was a *Roman Catholick*, but that about Eight weeks ago he had taken the Oathes, being asked whether there were no Guards at the uſual places at the time of carrying on this work, he ſays he did not take notice of any, and being asked whether he ſaw *Bedloe*, when he was carryed to ſee the Body when it lay in the back Chambers near the Garden, he anſwered he could not tell whether *Bedloe* was there or no, but does well remember that *Gerald* and *Green* were then preſent, he adds that *Hill*, *Green* and *Gerald* told him, that they had at *Prim-Roſe-Hill* thruſt Sir *Edmonds* Sword through his Body till it came an inch out at his Back, and that he ſtrugled very much at the time they ſtrangled him, but

but that *Green* punched him with his Knees upon his Body to haſten his death.

The Councel ſat again in the Afternoon.

His Majeſty having been informed that the ſaid *Lawrence Hill*, *Henry Berry*, and *Robert Green* had been taken, the two former ſecured in *Newgate*, and the latter in the *Gate-houſe*, and having commanded them to be brought in the Afternoon, *Robert Green* was called in, and being Examined did ſay that he had lived for above ten years at *Sommerſet houſe*, his buſineſs being to lay Cuſhions in the Chappel, that he knew *Hill* Dr. *Goddens* Man, alſo *Gerald* that was of the *Venetian* Ambaſſadors meaning of the Reſident, whom he ſuppoſes to be a Prieſt, that he knows *Prance* the Gold-ſmith to the Houſe, but for Sir *Edmondbury Godfrey* he never ſaw him dead or alive, that he never carryed a Sedan or any dead Body to his knowledg and ſo utterly denyed every thing relating to the Murther.

Prance being called in and confronted urged the matter unto him, how he the ſaid *Green* had been at Sir *Edmonds-houſe*, followed him from place to place, ſhewed him the twiſted Handkerchief before he did the work, and many other particulars mentioned in the report, and how could he deny them. *Green* denyed every particular, and ſaid all was falſe, *Prance* asked if he knew him, *Green* replyed yes very well, and had drunk with him, but he knew not Sir *Edmondbury Godfrey* or had ever ſeen him, yes ſaid *Prance* we have often drunk together at the *Plow*, and there I ſhewed you Sir *Edmond* as he paſſed by, telling you, that he was the Man that would not allow the Queens Servants any priviledg, *Prance* further askt him what was the *Iriſh* Mans name (a ſhort well ſet Man) that lay at ſuch a time in his Houſe, he anſwered his name was *Kelley* an *Iriſh* Prieſt who went away a Fortnight before the Proclamation, and that he belongs as he does think to a *Welſh* Gentlewoman that is a *Roman Catholick*, and being further asked how he came to be found out of his Houſe, he ſaith that at *Michaelmas* for about Four Nights he was put out of his Lodging by ſome People of Sir *John Arundels* for their conveniency, he further ſaith he never had any quarrel with Mr. *Prance* or any thing to ſay againſt him.

Lawrence Hill being called in, ſays that he had been long a Servant at *Sommerſet houſe*, that he knew *Green*, *Gerald*, and *Prance*, but not *Kelley*, that he never had any quarrel with *Prance*, and for ought he knew he might be an honeſt man, that he had not long ſince been drinking at his Houſe in *Stanhop-*

ſtreet

ſtreet, where he keeps a Victualling houſe, which he hired and where he has lived ſince a Fortnight after *Michaelmas* laſt, that he never ſaw Sir *Edmondbury Godfrey* but once at *Sommerſet-houſe*, which was upon occaſion of a Pick Pocket that was there taken, that he was about the middle of *October* buſie about ſettling himſelf in the Houſe he now is in, that the day Sir *Edmond* was Killed he was agreeing with his Landlord for the ſaid Houſe, but had not ſetled the agreement till the *Wedneſday* after, that he never Rid with Sir *Edmond* upon a Horſe, and knew very little of him, and denies vehemently all that is charged againſt him.

It may here properly be remembred that *Anne Broad-ſtreet* formerly Houſe-keeper to Dr. *Godden* did in her depoſition affirm, that *Lawrence Hill* left that place at *Michaelmas* or thereabouts going then to a Houſe of his own in *Stanhop-ſtreet*, but when *Prance* told her ſhe was miſtaken, and that he did not leave this Lodging there in *Sommerſet houſe* until a Fortnight after *Michaelmas*, ſhe ſeemed very warmly to contradict him, whereas *Hill* himſelf doth better agree with *Prance* concerning the time.

Prance *being called in, accuſes* Hill *of all the particulars to his Face, which he denies again with imprecations, and when His Majeſty asked* Prance *whether he would on his Salvation declare all he ſaid to be true, he made anſwer that it was as true as God is true, and that he did on his Salvation affirm it,* Hill *ſaith that* Prance *teſtifyeth all this to ſave himſelf, whereupon being askt the meaning of theſe words he ſaid he ſpoke the diſcourſe of his Houſe when People were drinking, and did there report that* Prance *was pardoned, but he then little thought that he ſhould come to be queſtioned on ſuch an account, being further asked about the ſaid* Kelly, *he ſaid there was ſuch a man did frequent the* Queens Chappel, *and* Prance *being asked the color of the Horſe which* Hill *brought for the Body, he ſaid, that though the Night was dark yet he could diſcern the Horſe to be a brown Horſe.*

Henry Berry being called in, ſays that he knows *Green* the Cuſhion keeper, that he knows not *Kelley* nor *Gerald*, that he knows *Hill* ſince he firſt came to *Sommerſet-houſe* as a Servant to Dr. *Godden*, that he knows *Prance* and has ſeen him at Chappel and never heard ill of him, but denies that he ever acted any thing with him concerning Sir *Edmondbury Godfrey*, or ever ſat with him upon that Bench, that he has ſeen Sir *Edmond*, and particularly as he paſt by about a year ago, but that he knew him not, or ever ſaw him dead, or knew that he ever went out in a *Sedan*, or that ever he ſaw *Prance*, *Green* or *Gerald* carry a *Sedan*.

Prance

Prance *being called in urges home upon* Berry *all the particulars afore mencioned, and the ſhare he had therein. As to the ſitting upon the Bench,* Berry *doth acknowledge that he hath often ſat there, and ſometimes with one* Bourk *that lay at* Greens *houſe but never with him, he diſowns all the accuſation but ſaies if he had done ſuch a thing he would not deny it,* Prance *is as poſitive and confident in all things on the other ſide, ſaying there was a time that he alſo denied things as ſtifly as they.*

The Priſoners were all returned to the places from whence they came.

Upon reading the examinations of *Miles Prance, Robert Green, Lawrence Hill* and *Henry Berry*, concerning the Plot and Murther of Sir *Edmond-Bury Godfrey* taken at the Councel Board, as alſo the Report made by the Duke of *Monmouth* and Lord *Butler* of *Moore* Park concerning the ſame, which by His Majeſties Order were brought before this Houſe. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be referred to the Lords Committees for examining Perſons and Papers concerning the Plot and Murther of Sir *Edmond-Bury Godfrey* to ſend for and further examine, the ſaid Perſons or any of them as their Lordſhips ſhall ſee cauſe, and give this Houſe an account thereof.

Ordered, that it be referred to the Lords Committees for Examining Perſons and Papers to Examine *Richard Tashrough* Eſq; and *Thomas Thorne*, who is now in the cuſtody of the Serjeant at Armes attending this Houſe upon Informations now in the Houſe concerning them, and make report thereof to this Houſe.

Upon Information given to this Houſe, that *John Bulley* a Popiſh Prieſt is taken and now in Cuſtody at the Goal at *Winchester*, It is Ordered, by the Lords Spiritual and Temporal in Parliament aſſembled, that it be referred to the Lords Committees for Examining Perſons and Papers, to conſider whether the ſaid *John Bulley* ſhall be ſent for to Town or left to his Tryal by Law in the Country where he now is.

The Lord Biſhop of *London* acquainted the Houſe that whereas the Lord Arch-biſhop of *York*, hath received an Order from this Houſe to Inquire after a Nunnery ſaid to be in *Ripley* in *York-ſhire*, wherein Women are educated in the Popiſh Religion, whereupon his Grace hath made Enquiry into the matter, and cannot hear that within the Pariſh of *Ripley* there either is or hath been any ſuch place or houſe as a Nunnery, wherein Women are educated in the Popiſh Religion, but is informed, that at *Dall-Bank* in the Townſhip of *Thornton* and Pariſh of *Ripon* two Miles from *Ripley*, that there were

were three Gentlewomen that did endeavor to teach Scholars for some few Moneths, but of what profession they were of, it is not known.

Die Veneris 27. *Decembris.* 1678.

THis day *Thomas* Earl of *Stamford*, and *William* Lord Bishop of *Landaffe* took the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration in pursuance of the Act for the more effectual preserving the Person of His Majesty and his Government, by disabling Papists from sitting in either House of Parliament.

Upon Information given to this House that *Dominick Kelley* is charged to be guilty of the Murther of Sir *Edmondbury Godfrey*, It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Armes attending this House, his Deputy or Deputies shall forthwith attach the Body of the said *Dominick Kelley*, and bring him in safe Custody to the Bar of this House, to answer to the said charge, and this shall be a sufficient Warrant on that behalf.

Die Sabbati 28. *Decembris* 1678.

THis day *Henry* Lord *Sandys* took the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration in pursuance of the Act for the more effectual preserving the Person of His Majesty and his Government by disabling Papists from sitting in either house of Parliament.

The Earl of *Essex* acquainted the House that he had received an Information out of the County of very great concernment, which was read as followeth.

December 24th. 1678.

The

Staff. The information of *Stephen Dugdale* Gentleman late Servant to the Lord *Aſton* of *Tixhall*, concerning the Plot againſt Our Sovereign Lord the King as followeth.

1. This Informant ſaith, that preſently after one *Howard Almoner* to the Queen went beyond the Seas, he was told by *George Hopſon* (Servant to the ſaid Lord *Aſton*) that there was a Deſign then intended for the Reformation of the Government, to the *Romiſh* Religion.

2. He informeth that in the beginning of *September* 1678. he met in *Tixhall* Hall nigh the Lords Gates the Lord *Stafford*, who ſaid to this informant, it was ſad for that they were troubled for that they could not ſay their Prayers but in a hid manner, but ſuddenly there would be a Reformation to the *Romiſh* Religion, and if there was but a good ſucceſs they ſhould enjoy their Religion, and upon the 20*th*. Day of *September* laſt, the ſaid Lord *Stafford* told this Informant that there was a Deſign in hand, and if this Informant would undertake the Deſign, he ſhould have a good Reward and make himſelf Famous.

3. Upon the aforeſaid day, immediatly after this Informant went into the Chamber of Mr. *Francis Vrie, alias Euers* (a Jeſuit) in *Tixhal* Hall, and asked him what the Lord *Stafford* meant by thoſe words, and after he had made him to ſwear ſecretly upon his knees, he told him, he might be a Perſon imployed in the work and have a good Reward that would make him Famous, and then he told him he muſt be inſtrumental with others in taking away the Kings life, and that it ſhould be done by ſhooting or otherways, and that this informant need not fear, for the Pope had Excommunicated the King, and that all that were Excommunicated by him were Hereticks, and they might kill them and be Canonized for Saints in ſo doing.

4. This Informant ſaith, that the ſaid *Euers* and *Hopſon* both ſaid, that the Deſign was as well to kill the Duke of *Monmouth* as the King.

5. That *George North* (Nephew to *Pickering* and Servant to the Lord *Aſton*) lately told this Informant that they had taken his Uncle (meaning *Pickering*) and put him into *Newgate*, and thought the King deſerved ſuch an Execrable Death as was intended him, becauſe of his Whoring and Debauchery.

6. That Mr. *Euers* ſaid Mr. *Bennifield* had a Packet of *Letters* delivered to him from the *Poſt houſe*, which he feared the Lord *Treaſurer* had notice of, and therefore he delivered them

them to the D. of *York*, and the D. of *York* delivered them to the King, and that the King gave them to the Treaſurer after he had read them, but that the King did not believe them, and therefore it was happy, or elſe the Plot had been diſcovered.

7. That he had received many Packets of *Letters* for *Euers*, ſome of which this Informant broke up, and found them to be and tend to the Eſtabliſhing of the *Romiſh* Religion *&c.*

8. That he had received ſeveral ſums of money himſelf, and knew of divers others that were imployed to put forth mony, which was and is for the Jeſuites uſe,

Taken upon Oath the 24*th*. Day of *December* 1678. Before us
Thomas Lane.
John Vernon.

Stephen Dugdale

Ordered. That the Earl of *Bridge-water*, and the Earl of *Eſſex* do immediatly go to the *Tower*, and examine the Lord *Viſcount Stafford* upon this information, and return before the Houſe riſes.

Upon Report made by the Earl of *Clarendon* from the Lords Committees, for examinations that one *Roger Siſe* an Officer under Captain *Arnold*, hath ſeiſed a Box of ſeveral *Writings* belonging to one *John Hall* a *Popiſh* Prieſt, which may be of great uſe here. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Roger Siſe* be and is hereby required to take care forthwith to ſend up with ſafety the ſaid Box of *Writings* to the ſaid Lords Committees, ſitting in the Lord Privy Seals Lodgings near the Houſe of Peers.

Upon Report made by the Earl of *Clarendon* from the Lords Committees, for Examinions, that Captain *Scudamore* hath ſeized a great Number of *Popiſh* Books and Papers at *Combe* in *Herefordſhire*. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that Captain *Scudamore* be and is hereby required to cauſe the ſaid Books and Papers to be forthwith conveyed, and delivered to the Lord Biſhop of *Hereford* to be by his Lordſhip diſpoſed of according to Law.

Upon Report made by the Earl of *Clarendon* from the Lords Committees for Examinations, that a certain Box of Writings taken with one *Pugh* a *Popiſh* Prieſt, which may be of great uſe, here are in the hands of Mr. *Charls Price* a Juſtice of the Peace for the County of *Monmouth*. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Charles Price* be and is hereby required to take care forthwith to ſend up the ſaid Box of Writ-

tings to the ſaid Lords Committees, ſitting in the Lord Privy Seals Lodgings near the Houſe of Peers.

The Serjeant at Arms brought *George Milborne* to the Bar at which time *William Bedloe* was preſent, who being asked whether he knew the ſaid *George Milborne* and what he had to charge him with, anſwered he hath no particular acquaintance with him, that he heard father *Pritchard* and other Jeſuits ſay that the ſaid *George Milborne* was as deeply concerned in the Plot as any man, and that he was to be an Officer under the Earl of *Powis*.

George Milborne denied he knoweth any thing of this buſineſs, nor ever knew father *Pritchard*, he hath ſeen Mr. *Lewis*, but never ſpoak with him, alſo he ſaid he never heard of any deſign for propagating the *Popiſh* Religion,

Whereas *George Milborne* was this day brought to the Bar by the Serjeant at Arms attending this Houſe, and there charged by *William Bedloe* to be engaged in the Horrid deſign againſt His Majeſties Perſon and Government. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Serjeant at Arms ſhall deliver the ſaid *Gorge Milborne* into the Priſon of the *Gate houſe* at *Weſtminſter*, there to remain in ſafe Cuſtody, and this ſhall be a ſufficient Warrant on that behalf.

Die Sabbati 28. *Decembris* 1678.
Poſt Meridiem.

THe Earl of *Bridge-water* and the Earl of *Eſſex* Reported that according to the Order of this Houſe this Morning, they have been with the Lord *Viſcount Stafford* in the *Tower*, and have examined his Lordſhip, who ſaid, that he ſpent ſome part of this laſt Summer in the Country of *Shropſhire* and *Staffordſhire*, ſometime in *Auguſt* he went to *Bath*, and from thence came to *London* about a week after *Bartholomew* Tide where he ſtaid ſome Days, and then went to *Tixhal*, where he came at or near the 12*th. September*.

His Lordſhip knowes Mr. *Stephen Dugdale*, who he takes to be the Lord *Aſtons* Bailiff, but abſolutely denies the having then or at any time either before or after, had any diſcourſe with him concerning a Deſign of Introducing the *Roman* Religion, or any thing relating thereunto.

His Lordſhip alſo ownes that he knowes Mr. *Euers*, who as he believes has lived two or three Years in the Lord *Aſtons* Houſe

Houſe, but alſo denies the having had any diſcourſe with the ſaid *Euers* concerning the introducing of the *Romiſh* Religion.

His Lordſhip alſo knowes *George Hopſon*, who waits on the Lord *Aſton* in his Chamber.

North he takes to be Keeper there.

Their Lordſhips further Reported, that the Lord *Viſcount Stafford* had two deſires to preſent to this Houſe, One that he may have as ſpeedy a Trial as may ſtand with their Lordſhips convenlency, the other that there may be a full Houſe of Peers.

Die Lunæ 30. *Decembris* 1678.

THis day *William* Earl of *Marleburrough* took the Oathes of Allegiance and Supremacy, and made and Subſcribed the Declaration in purſuance of the Act, for the more effectual preſerving the Perſon of His Majeſty and His Government, by diſabling of *Papiſts* from ſitting in either Houſe of Parliament.

His Majeſty ſitting in His Royal Throne Adorned with His Royal Crown and Ornaments (the Peers being in their Robes) commanded the Gentleman Uſher of the Black Rod to ſignify to the Houſe of Commons His Majeſties pleaſure, that they attend him preſently, who being come with their Speaker, His Majeſty made a ſpeech to this effect to both Houſes.

His Majeſty ſaid, that it is with great unwillingneſs that he is come to tell them that he intends to Prorogue them, all of them are Witneſs that he hath not been uſed well, the particulars of which he will acquaint them with at a more ſeaſonable time, in the mean time he will immediatly enter upon the disbanding of the Army, and do what he can for the good of the Kingdom and ſafety of Religion, that he will proſecute the diſcovery of the Plot to find out the Inſtruments of it, and he will take all the care that is in his Power to ſecure the Proteſtant Religion as it is now Eſtabliſhed, he ſaid he had no more to ſay to them, but leaves it to the Lord Chancellour to Prorogue them, as he had commanded him.

Then the Lord Chancellour ſaid, It is His Majeſties pleaſure, that this Parliament be Prorogued to the fourth Day of *February* next, and this Parliament is Prorogued to the fourth Day of *February* next.

HIS Majeſty being Arrayed in his Royal Robes Aſcended his Royal Throne, commanded the Houſe of Commons to be called, which being done, His Majeſty made a Speech to the Lords Spiritual and Temporal (being all in their Robes) and to the Houſe of Commons as followeth.

My Lords and Gentlemen.

I meet you here with the moſt earneſt deſire that Man can have, to unite the minds of all my Subjects, both to me and to one another. And I reſolve it ſhall be your faults, if the ſucceſs be not ſuitable to my deſires, I have done many great things already in order to that end, as the Excluſion of the Popiſh Lords from their Seats in Parliament, the Execution of ſeveral men both upon the ſcore of the Plot, and of the Murther of Sir *Edmondbury Godfrey*, and it is apparent that I have not been idle in Proſecuting the Diſcovery of both as much further, as hath been poſſible in ſo ſhort a time.

I have disbanded as much of the Army as I could get money to do, and I am ready to Disband the reſt ſo ſoon as you ſhall Reembur'ſt what they have coſt me, and will enable me to pay off the Remainder, and above all, I have commanded my Brother to abſent him-

ſelf from me, becauſe I would not leave the moſt malicious men room to ſay I had not removed all cauſes, which could be pretended to influence me toward Popiſh Councels.

Beſides that end of Union which I aim at (and which I wiſh could be extended to Proteſtants abroad as well as at home) I propoſe by this laſt great ſtep I have made to diſcern, whether Proteſtant Religion and the Peace of the Kingdom be as truly aimed at by others as they are really intended by me, for if they be, you will employ your time upon the great concerns of the Nation, and not be drawn to promote private Animoſities under pretences of the publick, your proceedings will be Calm and Peaceable in order to thoſe good ends I have recommended to you, and you will curb the Motions of any unruly Spirits, which would endeavor to diſturb them. I hope there will be none ſuch amongſt you, becauſe there can be no man that muſt not ſee how fatal differences amongſt our ſelves are like to be at this time, both at home and abroad.

I ſhall not ceaſe my endeavors dayly to find out what more I can, both of the Plot and Murther of Sir *Edmondbury Godfrey*, and ſhall deſire the Aſſiſtance of both my Houſes in that work.

I have not been wanting to give orders for putting all the preſent Laws in Execution againſt Papiſts, and I am ready to joyn in the making ſuch further Laws as may be neceſſary for ſecuring of the Kingdom againſt Popery.

I muſt deſire your Aſſiſtance alſo in ſupplyes, both for Disbanding the Army (as I have already told you) and for paying that part of the *Fleet* which hath been provided for by Parliament

ment but till the Fifth of *June* laſt, as alſo that debt for ſtores which was occaſioned by the Poll-Bills falling ſhort of the ſumm which that Act gave Credit for.

I muſt neceſſarily recommend to you likewiſe the diſcharging of thoſe Anticipations, which are upon my Revenue, and which I have commanded to be laid before you, and I have juſt cauſe to deſire ſuch an increaſe of the Revenue it ſelf, as might make it equal to my neceſſary expences, but by reaſon of thoſe other ſupplyes which are abſolutely neceſſary at this time, I am contented to ſtruggle with that difficulty a while longer, expecting for the preſent only to have the Additional Duties upon Cuſtoms and Exciſe to be prolonged to me, and that you will ſome way make up the loſs I ſuſtain by the prohibition of *French* Wines and Brandy, which turns only to my prejudice, and to the great Advantage of the *French*.

I muſt needs put you in mind how neceſſary it will be to have a good ſtrength at Sea, this Summer, ſince our Neighbors are making Naval preparations. And notwithſtanding the great Difficulties I labour under, I have taken ſuch care as will prevent any Danger which can threaten us, if your parts be performed in time, and I do heartily recommend to you that ſuch a conſtant Eſtabliſhment might be made for the Navy, as might make this Kingdom not only ſafe but formidable, which can never be whilſt there remains not enough beſides to pay the neceſſary Charges of the Crown.

I will conclude as I begun with my earneſt deſires to have this an healing Parliament, and do give you this Aſſurance, that I will with my

Life defend both the Proteſtant Religion and the Laws of this Kingdom, and I do expect from you to be Defended from the Calumny as well as danger of thoſe worſt of men, who endeavor to render me and my Government odious to my People.

The reſt I leave to the Lord Chancellor.

Then the Lord Chancellor ſpake as followeth.

My Lords and you the Knights, Citizens and Burgeſſes of the Houſe of Commons.

YOU are here Aſſembled by virtue of His Majeſties moſt gracious writs of Summons to hold a Parliament, the Great, the Wiſe, and the Powerful Councel of this Kingdom. From the Wiſdom of this Councel, the King is ſure he ſhall receive the beſt Advice, from the Duty and Loyalty of this Aßembly, He can never want a chearful Aſſiſtance; and the King reſolves to meet you all with ſo much Grace and Goodneſs, that he hopes this Parliament ſhall end in no diſappointment of any but our Enemies.

It may ſeem ſtrange perhaps to ſome, that His Majeſty who had ſo long and large an Experience of the Duty of the laſt Parliament, ſhould now and in this preſent Conjuncture think fit to call a new one. But the King hath ſo equal a Confidence in the affections of all his good Subjects, that he intends to be acquainted with them all, and have many and frequent

frequent Conſultations with them, and hopes by this means to attain firſt a true and right underſtanding of the deſires of his People, and next to that to be rightly underſtood by them.

The Conſiderations which are now to be laid before you are as urgent and as weighty as ever were yet offered to any Parliament, or indeed ever can be; ſo great and ſo ſurprizing have been our Dangers at home, ſo formidable are the appearances of Danger from abroad, that the moſt united Councels, the moſt ſedate and the calmeſt temper, together with the moſt Dutiful and Zealous Affections that a Parliament can ſhew, are all become abſolutely and indiſpenſibly neceſſary for our Preſervation.

At Home we had need look about us, for His Majeſties Royal Perſon hath been in danger by a Conſpiracy againſt his Sacred Life, malitiouſly contrived and induſtriouſly carryed on by thoſe Seminary Prieſts and Jeſuits, and their Adherents, who think themſelves under ſome obligation of Conſcience to effect it, and having vowed the Subverſion of the true Religion amongſt us, find no way ſo likely to compaſs it, as to wound us in the head, and to Kill the Defender of the Faith.

His Majeſty wanted not ſufficient Evidence of his Zeal for our Religion, without this Teſtimony from his Enemies, who were about to Sacrifice him for it, but it hath ever been the practice of thoſe Votaries firſt to Murther the Fame of Princes, and then their Perſons, firſt to ſlander them to their People as if they favored Papiſts, and then to aſſaſſinate them for being too Zealous Proteſtants, and this by all the ways and means which our Law calls Treaſon, and their Divinity calls Merit and Martyrdom. They are trying to ſet up the Dominion and the Supremacy of the Pope, as if the Dignity of his Triple Crown

Crown could never ſufficiently be Advanced, unleſs theſe three Kingdoms were added unto them, and all brought back again under that Yoake which neither we nor our Fore-fathers were able to bear.

The enquiry into this Conſpiracy hath been cloſely purſued, and the Lords of the Councel have been careful to proſecute the Diſcovery ever ſince the riſing of the laſt Parliament, and the King doth now Recommend it to you to perfect, more Evidence hath been already found out, and more Malefactors diſcovered, ſome in hold, ſome fled, Juſtices of Peace have been quickened in the Execution of their Duty, the negligent have been Reproved and Puniſhed, the diligent encouraged and aſſiſted in doubtful caſes by the opinions of the Judges, Active and Faithful Meſſengers have been ſent into all the corners of the Kingdom where there was any hope of ſervice to be done, the very Priſons have been ſearched to ſee if any had fled thither to hide themſelves there, and under pretence of debt to eſcape the purſuit, and if any have deſired leave to go beyond Sea, they have firſt given ſecurity not to go to Rome, *nor ſend their Children to be bred in any Forraign Seminaries, and they have been obliged to give in a Liſt of all their Menial Servants, and thoſe Servants too have been Examined at the Ports, and make Oath they are the ſame Perſons who were Examined above, ſo that all poſſible care hath been taken that no Malefactors might eſcape us in Diſguiſe.*

And though the Prieſts themſelves do not keep the Confeſſions of their Proſelytes more ſecret, than theſe keep the Injunctions of their Prieſts, yet enough hath appeared to bring ſome Capital Offenders to publick Juſtice, and to convict them of the Crime; ſome of the Traytors have been Executed, ſeveral Prieſts have been Arreſted and Impriſoned, all are hiding

them-

themſelves and lurking in ſecret corners like the Sons of Darkneſs. The Murtherers of Sir Edmondbury Godfrey *have been Condemned and ſuffered Death, ſome Papiſts have Baniſht themſelves out of the Kingdom, others are Impriſoned for not taking the Oathes, all are perſecuted towards Conviction, and the very ſhame and reproach which attends ſuch abominable practices hath covered ſo many Faces with new and ſtrange Con'uſions, that it hath proved a powerful Argument for their Converſion, nor is it to be wondred at, that they could no longer believe all to be Goſpel which their Prieſts taught them, when they ſaw the way and means of introducing it, was ſo far from being Angelical.*

In a word, ſo univerſal is that deſpair to which the Papiſts are now reduced, that they have no other hopes left but this, that we may chance to over-do our own buſineſs, and by being too far tranſported with the fears of Popery, neglect the opportunities we now have, of making ſober and laſting proviſions againſt it.

And 'tis not to be doubted, but that it would infinitely gratifie the Papiſts in the revenge they wiſh for this Diſcovery, if they could ſee us diſtracted with Jealouſies incurable, and diſtruſting the Government, to ſuch a degree as ſhould weaken all that Reverence by which it ſtands, for then the Plot would not be altogether without effect; but thoſe whom they could not deſtroy by their Conſpiracy, they ſhould have the ſatisfaction to ſee ruining themſelves after the Diſcovery, ſo that, though we had eſcap't that Deſolation, which they intended to have brought upon us, nothing ſhould ſave us from that Deſtruction we ſhould bring upon our ſelves.

But their Expectations of this are as vain as their other Deſigns wicked; For His Majeſty hath already begun

gun to let them ſee with what ſeverity he intends to proceed againſt them. He hath paſſed a Law to diſable all the Nobility and Gentry of that faction ever to ſit in Parliament, and not content with that, he did offer to the laſt Parliament, and does again renew the ſame offer to this Parliament, to paſs any further Laws againſt Popery, which ſhall be deſired, ſo as the ſame extend not to the Diminution of his own Prerogative, nor to alter the deſcent of the Crown, in the right Line, nor to defeat the Succeſſion. He hath refuſed the Petition of the Lords, who during the Interval of Parliament deſired to be brought to their Tryal, and after ſo long Impriſonment might reaſonably enough expect it. But His Majeſty thought it fitter to reſerve them to a more publick and Conſpicuous Tryal in Parliament, for which cauſe their Tryal ought now to be haſtened, for it is high time their ſhould be ſome Period put to the Impriſonment of the Lords.

But that which the King hath been pleaſed to mention to you this Morning, ſurpaſſeth all the reſt, and is ſufficient of it ſelf alone to diſcharge all thoſe fears of Popiſh Influences, which many good men had too far entertained, for now you ſee His Majeſty hath done that of his own accord, which would have been very difficult for you to aſk, and hath deprived himſelf of the Converſation of his Royal and only Brother, by Commanding him to depart the Kingdom. To which Command his Royal Highneſs hath paid a moſt humble and a moſt intire Submiſſion and Obedience, this Separation was attended with a more than Ordinary Sorrow on both ſides, but he that for your ſakes could part with ſuch a Brother and ſuch a Friend, you may be ſure hath now no favorite but his People, ſince therefore, His Majeſty hath ſhewn ſo much readineſs to concur with

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and in a manner to prevent the deſires of His Parliament, 'Tis a miſerable Refuge our Enemies truſt to, when they hope to ſee our Zeal out-run our diſcretion; and that we our ſelves ſhould become the unhappy occaſion of making our own Counſels abortive.

Not only the care of the State, but the care we ought to have to the Church to, will preſerve us from all Errors of this Kind, for as their neither is nor hath been theſe Fifteen Hundred Years a purer Church than ours, ſo it is for the ſake of this pure Church alone, that the State hath been ſo much diſturbed, it is her truth and peace, her decency and Order, which they Labor to undermine and purſue with ſo reſtleſs a Malice, and ſince they do ſo, it will be neceſſary for us to diſtinguiſh between Popiſh and other Recuſants, between them that would deſtroy the whole Flock, and them that only wander from it, and amongſt the many good Laws you ſhall think fit to provide, it may not be amiſs to think of ſome better Remedy for regulating the Preſs, from whence there dayly ſteal forth Popiſh Catechiſmes, Pſalters, and Books of Controverſie, and it may be another good fruit of ſuch a Law to hinder Schiſmatical and Seditious Libels to, for certainly it were much better for us to make ſuch Laws as will prevent Offences, rather than ſuch as ſerve only to Puniſh Offenders.

From the Dangers which we know at home, and have already in a great meaſure overcome, be pleaſed to carry your Conſiderations abroad, and weigh the dangers which may come from thence.

We all ſee and know the Poſture of our Neighbors, and that the general Peace of Europe *being once made there muſt needs be great Fleets and Armies unimployed and ready for an occaſion, and 'tis*

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as visible, that some of our Neighbors are so wasted by the War, that they are unable to give us any help if we should stand in need of it, and when we consider withal the afflicted Condition of the Protestants *abroad, we may be sure that every calamity they suffer is in some measure a weaking of the* Protestant *Interest, and looks as if it were intended to make way for a general Extirpation.*

These dangers would not be so considerable as they are, if the present wants of the Crown were not too well known. The King doth not intend to press you at this time with the full Consideration of them all, for as the King cannot hope in any one Session to do all that may be good for his People, *so neither doth he expect from them all that may be necessary for himself; but hopes the good understanding between him and his* People, *shall be for ever maintained by a perpetual reciprocation of Grace and Favor on his part, and duty and affection on yours.*

That which doth most press the King at present, is the want of that Treasure which he hath exhausted by going as far as he could in the Disbanding of his Army, which is very much but not fully done. The Charge of a great Fleet at Sea now ready to be paid off after a long service, and the necessity of setting out another this Summer. The Defects of the Poll-Bill which fell short of that Summ which was allowed to be borrowed upon it, and by that means hath deceived those who did furnish Stores upon the Credit of that Act, unless you relieve them, together with the continuation of some Additional Duties of Custome and Excise; and it were much to be wished, that since the Revenue at the best was always short of the necessary Charge of the Government, a way may be found to take off those Debts and Anticipations, and to sup-

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ply that Diminution of the Customes, which makes it much narrower than it was.

My Lords and Gentlemen,

There are so many things to do and so little time to do them in, that there ought not to be one Minute lost. The season of the year is not yet so far advanced as to make it too late to set out a Fleet this Summer, for most of the preparations are ready, if we go about it with that diligence which is requisite, and therefore it doth infinitely import us all to Husband time.

The best way of doing this will be to avoid all long and tedious Consultations, which sometimes do as much harm, as ill Resolutions, and above all to take heed of such questions and debates as tend to raise heat, or create any kind of Disturbance, nor does any thing in the World so much contribute to dispatch as a quiet and orderly proceeding, for they who are in hast and attempt to do all their business at once, most commonly hinder themselves from bringing any thing to perfection.

You have now an opportunity of doing great things for the King and Kingdom, and it deserves your utmost care to make a right use of it, for 'tis not in the Power of a Parliament to recover a lost opportunity, or to restore themselves again to the same circumstances or the same condition, which they had once a Power to have improved.

Would you secure Religion at home and strengthen it from abroad by uniting the interests of all the Protestants in Europe? *this is the time.*

Would you let the Christian World see the King in a Condition able to protect those who shall adhere to him or depend upon him? This is the time.

Would you extinguish all our fears and Jealousies? Would you lay aside all private Animosities, and give them

them up to the quiet and repose of the publick? This is the time.

Would you lay the Foundations of a lasting peace, and secure the Church and state against all the future Machinations of our Enemies? This is the time.

My Lords and Gentlemen.

The present face of things and the State wherein we now are, is so well known and understood abroad, that the whole World is in great expectation of those Resolutions which shall be taken here; the results of this Councel seem to be derisive of the Fate of these Kingdoms for many Ages, and are like to determine us either to happiness or misery of a very long Duration.

We use to say and say truly, that the King when Seated in Parliament *is then in the fullness of His Majesty and* Power, *and Shines forth with the brightest Lustre, let no Exhalations from beneath darken or obscure it.*

Forraign Nations say and say truly, that a King of England *in Conjunction with his* Parliament, *is as great and dreadful a* Prince *as any in* Europe, *shew them the sight they are afraid of, and since they have laid it down for a Maxime in their* Politiques; *that* England *can never be destroyed but by it self, and that 'tis in vain to make any Attempt upon this Nation, until they be in some great danger and confusion among themselves, make the Ambitious despair betimes and establish so perfect an Intelligence between all the parts of this great body, that there may be but one heart and one Soul among us.*

And let us all pray, that he who hath once more miraculously delivered the King, the Church and the State, would be pleased still to continue his Divine Protection, *and give us thankful and obedient Hearts, and when we have offered up those hearts to God, let us*

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in the next place offer them again to the King, and lay them down at the Foot-ſtool of his Throne, that ſo the King may ſee himſelf ſafe in your Councels, rich in your affections, victorious by your Arms, and raiſed to ſuch a heigth by your Loyalty and Courage, that you may have the Honor of making him the greateſt King, and he the Glory of making you the happieſt People.

I have but one thing more in Command, and that is to the Gentlemen of the Houſe of Commons, that they proceed immediatly to the Choice of a Speaker, whom His Majeſty will expect to be preſented to him here, at three of the Clock to Morrow in the Afternoon.

Then His Majeſty withdrew himſelf, and the Commons went to their Houſe: Theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration, in purſuance of the Act, for the more effectual preſerving the Kings Perſon and Government by diſabling Papiſts from Sitting in either Houſe of Parliament.

The Lord Chancellor ſingly in the firſt place.
Thomas Lord *Butler* of *Moor Park*.
Richard Lord *Arundel* of *Warder*.
John L. *Fretchvile*.
George L. *Delamer*.
Charles L. *Cornwallis*.
Druzel L. *Holles*.
Charles L. *Wooton*.
Charles L. *Gerard*.
Tho. L. *Culpepper*.
Richard L. *Vaughan*.
Richard L. *Byron*.
Henry L. *Herbert de Cher.*
William L. *Howard de Eſſ.*
George L. *Coventry*.
William L. *Maynard*.
Ford L. *Grey de Werk*.
James L. *Shandois*.
Charles Lord *North* and *Grey de Roll*.
Phillip L. *Wharton*.
Ralph L. *Eure*.
Charles L. *de Grey*.
Tho. L. *Morley* and *Monteagle*.

George L. *Berkley.*
Tho. L. B. of *Exon.*
John L. B. of *Oxon.*
Tho. L. B. of *Lincoln.*
William L. B. of *Landaffe*
Peter L. B. of *Bath* and *Wells.*
John L. B. of *Glouceſter.*
Peter L. B. of *Ely.*
John L. B. of *Rocheſter.*
Joſeph L. B. of *Peterborough*
Seth L. B. of *Sarum.*
George L. B. of *Winton.*
Nathan. L. B. of *Durham.*
Henry L. B. of *London.*
Fran. Viſcount *Newport.*
George Viſc. *Halliſax.*
John E. of *Guilford.*
Robert E. of *Aylſbury.*
William E. of *Craven.*
John E. of *Bath.*
Arthur E. of *Eſſex.*
Henry E. of *Clarendon.*
Henry E. of St. *Albans.*
John E. of *Rocheſter.*
Nicholas E. of *Scarſdale.*
Robert E. of *Sunderland.*
William E. of *Strafford.*
Thomas E. of *Stanford.*
Henry E. of *Peterborough.*
Thomas E. *Rivers.*
William E. of *Denbigh.*
James E. of *Northamp.*
John E. of *Bridgewater.*
John E. of *Exeter.*
James E. of *Sarum.*
James E. of *Suffolk.*
William E. of *Bedford.*
Theophilus E. of *Huntin.*
Anthony E. of *Kent.*
Awbrey E. of *Oxford.*
Henry E. of *Arlington* L. Chamberlain of His Majeſties Houſhold.
Henry Marquefs of *Worceſter.*
Charles Marquefs of *Winchester.*
James D. of *Monmouth.*
Chriſt. D. of *Albemarle.*
Tho. E. of *Danby* L. High Treaſurer.
William Arch-Biſhop of *Canterbury.*
Rupert Duke of *Cumberland.*

These Lords following took the Oathes of Allegiance and Supremacy, and ſubſcribed the declaration, in purſuance of the act for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

John Lord *Pawlet.*
William Lord *Paget.*
John Lord Biſhop of *Cheſter.*

Thomas

Thomas Earl of *Suſſex*.
Anthony Earl of *Shaftesbury*.
Charles Earl of *Carnarvan*
Charles Earl of *Weſtmorland*.

Die Martis 11. *Die Martii* 1678.

THeſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the declaration in purſuance of the act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

Edward Lord *Berkingham*.
John Lord *Lovelace*.
Benjamin Lord *Fitzwalter*.
Thomas Viſcount *Faukenbergh*.
Robert Earl of *Mancheſter*.
Philip Earl of *Leiceſter*.
Charles Earl of *Dorcet* and *Middleſex*.

HOdie prima vice lecta eſt Billa, an act for the better diſcovery and more ſpeedy convicting of *Popiſh* Recuſants.

Lords Committees appointed to receive all informations, tending to the dicovery of the late horrid Conſpiracy, and to conſider in what State the Impeachments brought up in the laſt Parliament now ſtand, And to repurt to the Houſe.

Duke of *Cumberland*.
Marquels of *Winton*.

Their Lordſhips of any three of them to meet to morrow Morning, at nine of the clock, in the Lord Privy Seals Lodgings, near the Houſe of Peers, and Adjourn themſelves as they pleaſe.

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order, that all ſuch *Papers* relating to the Diſcovery of the late horrid Conſpiracy, as have been before the Councel Table, either before or ſince

the Diſſolution of the late Parliament may be Communicated to this Houſe.

Die Mercurii 12. *Martii* 1678.

THis day *John* Earl of *Mulgrave* took the Oaths of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from Sitting in either Houſe of Parliament.

Hodie ſecunda vice lecta eſt Billa, an Act for the better diſcovery and more ſpeedy Convicting of *Popiſh* Recuſants.

Ordered, that this Bill is committed to the Committee of the whole Houſe, and to be taken into conſideration on *Friday* Morning next.

The Earl of *Shaftesbury* Reported, that the Committee appointed yeſterday to conſider in what State the Impeachments in the laſt Parliament now ſtand, have peruſed the Journal of this Houſe, and find that the 5. Day of *December* 1678. the Impeachments againſt the Five Lords, now Priſoners in the *Tower* were brought from the Houſe of Commons, which conſiſted of a general Charge of Treaſon, and other high Crimes; the Houſe of Commons declaring they would in convenient time Exhibit the Articles of their charge againſt them.

The next day, this Houſe appointed to go upon the conſideration of theſe Impeachments, and all the Judges were appointed to be then preſent, but nothing was done thereon.

The Lord Committees do alſo find, that an Impeachment of high Treaſon and other high Crimes, againſt *Thomas* Earl of *Danby* Lord Treaſurer, was brought from the Houſe of Commons the 23. Day of *December* 1678. and the particular Articles then Exhibited. And the Commons deſired that he might be ſequeſtred from his place in Parliament, and committed to ſafe Cuſtody.

That the Lord Treaſurer deſired Copies of all the Papers and proceedings concerning this Buſineſs.

And it was then reſolved upon the queſtion, that the Lord Treaſurer ſhould not withdraw.

It further appears, that on the 26th. of *December* 1678 the Lord Treaſurer moved the Houſe for a Copy of his Charge, and that he might not lie long under it; whereupon it was moved

ved that the House would consider of the desire of the House of Commons concerning his Confinement, the debate was adjourned.

It appears that this House on the 27. of *December*, resolved, that the Lord Treasurer should not now be Confined, and Ordered that he should have a Copy of the Articles, to which he was appointed to bring in his answer before the 3*d*. Day of *January*, and that he might have Councel to Assist him.

Upon Report made by the Earl of *Shaftesbury*, from the Lords Committees for Examination of the late horrid Conspiracy, concerning the Impeachments brought up from the House of Commons in the last Parliament, how they stand entred in the Journal of this House. It is Ordered that it be, and is hereby referred to the Lords Committees for priviledges, to consider of the state of the said Impeachments, and all the incidents relating thereunto, and to report their opinion thereupon unto this House,

Ordered, that it be, and is hereby referred to the Lords Committees, for Examining matters relating to the discovery of the late horrid Conspiracy, to send for and Examine such Persons as they shall think fit, who have declared or shall declare and publish that the Persons or any of them, who have been executed as guilty of the said Conspiracy were innocent, and have suffered wrongfully, as also to send for such Justices, Constables and other Persons, as they shall think fit, who were intrusted with the Execution of His Majesties late Proclamations for Banishing *Popish* Recusants from the Cities of *London* and *Westminster*; And to enquire an account, why the said Proclamations have not been effectually pursued, and make Report thereof unto the House.

Ordered, that the Lords of the Bishops Bench do prepare a Bill to be presented to this House, whereby the Members of the Convocation may be enjoyned to take the Oaths of Allegiance and Supremacy, and subscribe the Declaration according to the directions of the Act, for the more effectual preserving of the Kings Person and Government, by disabling *Papists* from Sitting in either House of Parliament.

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Die Jovis 13. *Martii* 1678.

THis day theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from Sitting in either Houſe of Parliament.

Horatio Lord *Townſhend.*
Richard Earl of *Burlington.*
Heneage Earl of *Winchester.*

Die Sabbati 15. *Die Martii* 1678.

THis day *Charles* Lord *Lucas* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act for the more effectuall preſerving of the Kings Perſon and Government, by Diſabling Papiſts from Sitting in either Houſe of Parliament.

His Majeſty being Arrayed in his Royal Robes aſcended his Royal Throne, and Commanded the Gentleman Uſher of the Black Rod, to ſignifie to the Houſe of Commons His Majeſties pleaſure, that they come up preſently. The Commons being come, His Majeſty made a ſhort Speech to this effect.

My Lords and Gentlemen,

Though this hath been a very ſhort receſs, yet there are ſome Doubts whether you can take Notice of what I ſaid, at the opening of this Parliament in point of form. Therefore it is neceſſary that I recomend to you now, what I and the Chancellor ſaid the other day, as if we ſaid it now. The reſt I refer to the Chancellor.

Then

Then the Lord Chancellor ſpake as followeth.

My Lords and Gentlemen,

Since it hath pleaſed the King to refer you all to what he lately ſaid at the opening of this Parliament, it will concern us all to take it unto our moſt ſerious thoughts, and to enter upon the matters therein recommended to us, that ſo we may proceed effectually in that great work for which we are called, without being diverted by any conſiderations whatſoever.

For if this Parliament ſucceed not well, if it do not quiet and compoſe the minds of all the People, it will be thought an unaccountable thing in the World, conſidering the great preparations the King hath made for it, and thoſe excellent diſpoſitions of mind he brings towards it.

Wherefore that no time may be loſt, His Majeſty Commands the Gentlemen of the Houſe of Commons, that they proceed immediatly to the Choice of a Speaker, and His Majeſty will expect that he be preſented to him here upon Monday *Morning at Ten of the Clock.*

Die Lunæ 17. *Martii.* 1678.

THeſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcibed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from Sitting in either Houſe of Parliament.

Guy Lord Biſhop of *Chicheſter.*
William Richard George Earl of *Derby.*

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do attend His

His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order, that all ſuch *Papers* relating to the diſcovery of the late horrid Conſpiracy, as have been before the councel Table, either before or ſince the diſſolution of the laſt Parliament, may be communicated to this Houſe.

Ordered, By the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby referred to the Lords Committees for priviledges, to conſider whether petitions of appeal, which were preſented to this Houſe in the laſt Parliament, be ſtill in force to be proceeded on, as alſo to Conſider of the State of the Impeachments brought up from the Houſe of Commons laſt Parliament, and all the incidents relating thereunto, and make Report thereof unto the Houſe.

Ordered, that it be and is hereby referred to the Lords Committees, for Examining matters relating to the diſcovery of the late horrid Conſpiracy, to ſend for and examine ſuch Perſons as they ſhall think fit, who have declared or ſhall declare and publiſh, that the Perſons or any of them, who have been Executed as Guilty of the ſaid Conſpiracy were innocent, and have ſuffered wrongfully, as alſo to ſend for ſuch Juſtices, Conſtables and other Perſons, as they ſhall think fit, who were intruſted with the Executions of His Majeſties late Proclamations, for Baniſhing *Popiſh* Recuſants from *London* and *Weſtminſter*, and to require an account, why the ſaid Proclamations have not been effectually proſecuted, and make Report thereof unto the Houſe.

This Houſe being moved, that *Lewis* a Jeſuit now Priſoner in the Goal at *Monmouth* may be ſent for, and brought unto this Bar. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be referred to the Lords Committees appointed to Examine matters, relating to the diſcovery of the late horrid Conſpiracy, to conſider what is fit to be done concerning the ſaid *Lewis*, and make Report thereof unto the Houſe.

This day theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from Sitting in either Houſe of Parliament.

Jacob Lord *Aſtley*.
Nicholas Earl of *Thanet*.

And

And upon conſideration had of the matter referred to their Lordſhips, concerning the State of the Impeachments brought up from the Houſe of Commons the laſt Parliament, and all the Incidents relating thereunto; their Lordſhips find that the Five Lords, who are in the *Tower* are upon General Impeachment, and the other Lord is impeached with ſpecial matters Aſſigned; they refer the Houſe to the Report made on *March* inſtant, which States what is entred in the Journal of the laſt Parliament, concerning this matter, and their Lordſhips are of Opinion, that the Diſſolution of the laſt Parliament doth not alter the ſtate of the impeachments brought up by the Commons in that Parliament.

Ordered, that this Report be taken into conſideration to morrow Morning the firſt buſineſs.

Hodie prima vice lecta eſt Billa, an Act for the better diſcovery and more ſpeedy Conviction of *Popiſh* Recuſants.

Ordered, that this Bill be read the ſecond time to morrow Morning.

Upon reading the Petition of *Elizabeth Dowager Abergaveny*, Complaining that contrary to the priviledge due to the Peerage of this Realm, She and Her ſervants were on the *7th.* of *January* laſt preſented for Recuſancy, at the Quarter Seſſions held for the County of *Oxford*, and praying the ſaid preſentments may be diſcharged. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that as to the Perſon of the ſaid *Dowager Abergaveny*, the ſaid preſentments for Recuſancy be diſcharged, and all further proſecution be ſtaid, whereof all Perſons concerned are hereby required to take notice and yield Obedience accordingly.

Upon reading the Petition of *Elizabeth Dowager Abergaveny*, ſhewing that her ſervants were on the *7th.* of *January* laſt preſented for Recuſancy, at the Quarter Seſſions held for the County of *Oxford*, and praying that ſhe may have the priviledge of peerage for her ſervants in this caſe, they being preſented within the time of priviledge. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that it be and is hereby referred to the Lords Committee for priviledges, to conſider of the caſe ſet forth in the ſaid Petition, ſo far as it relates to the Petitioners ſervants and report their Opinion thereupon to this Houſe.

It being moved by the Duke of *Albemarl*, and Marqueſs of *Winton*, that *Bernard Howard* Eſquire (for whoſe Civil deportment they have engaged their Honors to this Houſe) may have leave to come to Town, the Houſe made the following Order.

The

The House being moved, that *Bernard Howard* Esq; may have leave to come to, and stay some time in Town to Attend some Business of great importance to him, notwithstanding which, he hath in obedience to His Majesties late Proclamation withdrawn himself from the Cities of *London* and *Westminster*, upon consideration had thereof, It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Bernard Howard* be and is hereby Authorized, to come to and abide in the Cities of *London* and *Westminster*, or either of them for the space of one Moneth next after the Date of this Order, for Attending his said Business, but no longer.

Ordered, that the Lord Chief Justice of the Court of Common Pleas, and Mr. *Baron Thurland* do consider of the State of the Laws now in being, how they now stand as to the clearing the Cities of *London* and *Westminster* from *Popish* Families, and wherein the said Lawes are defective (if they be so) for the purposes aforesaid, and give this House an Account thereof on *Monday* next.

Ordered, that in all Cases for the future, wherein any Peer shall move for leave for any *Popish* Recusant to come to and make stay in the Cities of *London* and *Westminster* or *Suburbs* thereof, such Peer shall declare upon his Honor, that he knows the particular occasions that require such leave

Ordered, that on *Thursday* next, this House shall be put into a Committee to consider of the securing of the *Protestant* Religion.

Die Mercurii 19. *Martii* 1678.

THis day these Lords following took the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration, in pursuance of the Act for the more effectual preserving of the Kings Person and Government, by disabling *Papists* from sitting in either House of Parliament.

James Lord *Norris*.
Thomas Lord *Cromwel*.

Hodie prima vice lecta est Billa, an Act disabling any Persons from sitting in either House of Convocation, till he hath taken the

the Oathes and made and ſubſcribed the Declaration herein contayned.

Hodie ſecunda lecta eſt Billa, an Act for the better diſcovery and more ſpeedy Conviction of *Popiſh* Recuſants.

Ordered, that the Conſideration of this Bill is committed to a Committee of the whole Houſe to morrow Morning.

Next the Houſe took into Conſideration the Report from the Lords Committees for priviledges, whether Petitions of Appeal which were preſented the laſt Parliament were ſtill in force to be proceeded on, and concerning the ſtate of impeachments brought up from the Houſe of Commons the laſt Parliament, and all the incidents relating thereunto, and in midſt of the Debate, the Earl of *Lincolne* came into the Houſe, and took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament. The Debate being Suſpended upon this Occaſion, the Houſe made the enſuing Order.

Whereas by an Act paſſed in the thirtieth Year of His now Majeſties Reign, Entituled an Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts *from ſitting in either Houſe of Parliament, all and every the Peers of this Realm are to take the Oathes of Allegiance and Supremacy, and make and ſubſcribe the Declaration in the ſaid Act contained, in ſuch manner as is therein directed. Now for preventing interruption of Debates, by the late coming in of Lords to take the ſaid Oathes, and make and ſubſcribe the ſaid Declaration. It is Ordered by the Lords ſpiritual and Temporal in Parliament Aſſembled, that ſuch Peers as have not taken the ſaid Oathes, and made and ſubſcribed the ſaid Declaration, and come to the Houſe with an intent to do the ſame, are to be preſent for that purpoſe at the firſt ſitting of the Houſe, or otherwiſe they are to withdraw from the Debates of the Houſe of Peers for that Day. And it is further Ordered, that this Order be added to the Roll of the ſtanding Orders of this Houſe.*

After this, the Houſe proceeded in the Debate aforeſaid, and after ſomtime ſpent therein, it was deſired that this Queſtion might be put, whether to agree with the Committee in this Report.

Then this previous Queſtion was put, whether this Queſtion ſhall be now put, and it was reſolved in the Affirmative.

Then the main Queſtion was put, whether to agree with the

the Committee in this Report, and it was resolved in the Affirmative.

The House this day taking into Consideration, the Report made from the Lords Committees for priviledges, that in pursuance of the Order of the 17*th.* instant to them directed, for Considering whether Petitions of Appeal, which were presented to this House in the last Parliament be still in force to be proceeded on, and for Considering the state of the Impeachments brought up from the House of Commons the last Parliament, and all the incidents relating thereunto; Upon which the Lords Committees were of Opinion that in all Cases of Appeals and Writs of Error, they continue and are proceeded on *in statu quo*, as they stood at the dissolution of the last Parliament without beginning *De novo*, and the dissolution of the last Parliament, doth not alter the state of the Impeachments brought up by the Commons in that Parliament; After somtime Spent in Consideration thereof, it is resolved by the Lords Spiritual and Temporal in Parliament Assembled, that this House agrees with the Lords Committees in the said Report.

Upon Report made by the Lord *Viscount Hallifax* from the Lords Committees, for Examining matters relating to the discovery of the late horrid Conspiracy, that their Lordships having already more Business before them than the Clerks, now attending the Service of this House can have time to go through with, are of Opinion that it may be fit for this House to appoint two more Clerks to attend their Lordships business at that Committee, upon consideration had thereof. It is Ordered, that the Clerk of the Parliaments shall present to this House the Names of two such persons as he is willing to Associate to himself for this purpose, to the end the House may consider of them, and in what manner the said Clerks may be obliged to such secresie, as is requisite for the said Imployment, and of what allowance may be thought fit for this House humbly to move His Majesty in, to be by his Gracious Order paid to them for their said service.

The House being moved that *Ralph Lawson*, Gentleman Steward to the Lady Vis. *Stafford*, for her Lands & Rents may have liberty to look after, and take care of the said Lady *Staff.* Estate and Rents. It is Ordered by *&c.* That the said *Ralph Lawson* as Steward to the said Lady *Stafford*, be and is hereby Authorized and permitted to travel, and take care of the said Lady *Stafford's* Estate, and Receiving of her Rents for the space of Six Weeks, from the date of this order and no longer. And this shall be a sufficient Warrant on that behalf.

Upon

Upon Report made by the Lord Viſcount *Hallifax*, from the Lords Committees for examining matters relating to the Diſcovery of the late Horrid Conſpiracy, that *William Bedloe* hath acquainted their Lordſhips, that he hath not yet Received the Five Hundred Pounds, which was promiſed by His Majeſties Proclamation to ſuch Perſon as ſhould diſcover any of the Murtherers of Sir *Edmond bury Godfrey*, though it hath ſome time ſince been adjudged due to him being a diſcoverer of one of them, by the Lords Committees of His Majeſties Councel Board. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do Attend His Majeſty, humbly to repreſent to him from this Houſe, the ſaid *William Bedloes* preſent Caſe, and to deſire, that His Majeſty will be graciouſly pleaſed, to give Order for the payment of the ſaid Five Hundred pound according to His Majeſties Royal Proclamation in that behalf publiſhed.

Die Jovis 20. *Martii* 1678.

THis day *William* Lord Biſhop of *Briſtol* took the Oathes of Alleg[i]ance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

Hodie ſecunda vice lecta eſt Bilia, an Act diſabling any Perſon from ſitting in either Houſe of Convocation, till he hath taken the Oathes, and made and ſubſcribed the Declaration herein contained.

Ordered, that the conſideration of this Bill is committed to theſe Lords following, whoſe Lordſhips have power to Ad ſuch clauſes thereunto, as they ſhall think fit relating to the Clergy or Univerſities, and Report the ſame to the Houſe.

Earl *Derby*.

Earl *Huntingdon*.

The Lord Biſhop of *Bath* and *Wels* Reported from the Lords Committees, for examining Matters relating to the diſcovery of the late horrid conſpiracy, the examination of *Miles Prance*, which was read as followeth.

Middſ.

Midd. & ſſ. *& Lib. Weſtm.*

The examination of *Miles Prance* Silver-ſmith, taken upon Oath the 19th. Day of *March* 1678 before the Marqueſs of *Wincheſter*, one of His Majeſties Juſtices of Peace for the ſaid County and Liberty.

This Examinant ſaith, that he and Mr. Maddiſon *a Barber in* Holborne, *and Mr.* Staley, *were drinking at the Croſs-keys* Tavern *over againſt* Staleys *houſe, about a Fortnight before the ſaid* Staley *was taken, where complaining of the great perſecutions that the* Papiſts *lay under, and that if they did not take ſome ſpeedy Courſe to deſtroy their Enemies, they ſhould be Ruined. The ſaid* Staley *and* Maddiſon *reſolved to Kill the Earl of* Shaftesbury, *as the Ringleader of the Miſchief, that they feared would fall them,* Maddiſon *ſaying, that he would engage three* viz. Addamſon *a Watchmaker,* Proſſer *a Silver-ſmith; and* Bradſhaw *an Upholsterer, and the ſaid* Maddiſon *coming afterwards to the Deponents Shop, ſhewed the Deponent a Piſtol he had prepared for that purpoſe. This Deponent further ſaith, that meeting with* Addamſon *at* Pettyes, *at the white Poſts in* Veere *ſtreet, and diſcourſeing of News,* Addamſon *ſaid, that they ſhould all be undone if they did not look about them: Therefore they were reſolved to Kill the Earl of* Shaftesbury, *he alſo ſpeaking the ſame thing to the Deponent at the* Grid-Iron *in* Holborne. *This Deponent likewiſe ſaith, that* Proſſer *told him, that he was undone, and he intended to Kill the Lord* Shaftesbury, *for he with other of the Lords intended to undo the Lord* Arundel, *who was his very good Cuſtomer. The ſaid* Proſſer *telling the Deponent at another time, that he was to be an Enſign under the ſaid Lord* Arundel.

This Deponent alſo ſaith, that Bradſhaw *in diſcourſe with him, ſaid, that he would make no more to Kill a Proteſtant then to Kill a Dog or a Cat, and that he was Reſolved to Kill ſome of the buſie Lords, but the firſt ſhould be the Lord* Shaftesbury, *and the ſaid* Proſſer *ſhewed the Deponent a Piſtol at the ſame time. This Deponent further ſaith, that he the Deponent, Mr* Meſſenger, Proſſer, *and* Maddiſon *were at* Bradley's *in* Holborne *about Five Weeks before* Staley *was taken, where the ſaid* Meſſenger *much complaining of the ſeverity of the Laws that were againſt the Papiſts, and much fearing that they would be put in Execution againſt them, by ſome that were no Lovers of them, and particularly the Lord* Shaftesbury, *who did moſt buſie himſelf about them, ſaid, that there muſt be ſpeedy courſe taken to prevent*

prevent it; and this Deponent ſaith, that ſometime after this, the ſaid Proſſer *told him that the ſaid* Meſſenger *was the Perſon that promoted the Killing of the Lord* Shaftesbury. *The Deponent further ſaith, that Mr.* Goteen *told him both in* Covent Garden, *and in the Deponents Shop, that the King and Parliament would undoe them, and if he were to Kill a man, he would Kill the King aſſoon as any man, and if he had him in* France *he would have Killed him before this.*

This Deponent further ſaith, that about Six Monthes ſince, he heard Mr. Mathews *the Lord* Peters *Prieſt ſay, that his Lord and the Lord* Bellaſis *with ſome other Lords would have a good Army, and that they hoped the Catholick Religion would be ſettled in* England. *This Deponent further ſaith, that about a year ſince he heard Mr* Singleton *a Prieſt ſay in the preſence of Mr.* Hall, *that he hoped he ſhould be ſettled in a Pariſh Church before a Twelve moneth, and that he did not fear, but that the Catholick Religion would Reign in* England, *and that he would not make any more matter in Stabbing Forty Parliament Men, then to eat his Dinner. The Deponent ſaith, that he hath alſo heard Mr.* Byfleet *and Dr* Guilding *ſay ſeveral times, that they turned divers People from the Proteſtant Religion to the Catholick Religion; and they hoped they ſhould turn many more, the Deponent alſo believes, that the ſaid* Hall *always received the Money for the ſaid* Singleton, *which was to be diſtributed for Maſſes for the dead*

This Deponent further ſaith, that Mr. Groves *told him, that this was no Plot, but a Plot of the Proteſtants own making, and when his Unkle was Condemned, he ſaid that they were all Rogues that ſwore againſt him; the Deponent then asking him, what he thought of the Five Thouſand Men which he knew were to be raiſed, the ſaid* Groves *Replyed, that might be in Jeſt, the Deponent further ſaith, that Mr.* Ridley *a Chirurgion at the Lord* Baltamores *Houſe in* Weld ſtreet *told him ſeveral times, that he hoped to be Chirurgion to the Catholick Army in* England, *and that the L.* Bellaſis *would much ſtand his Friend in the concern. This Deponent further ſaith, that the L.* Arundel *of* Warders *Butler told him that Mr.* Meſſenger *was to kill the King & he was to have a good reward if he ſaved his Life. & if he were killed, the ſaid reward ſhould be diſtributed amongſt ſuch friends as he ſhould appoint, by the Lord* Arundel, *the Earl of* Powis *and the reſt of the Lords that were in the ſame Plot. The Deponent further ſaith, that meeting with Mr.* Meſſenger, *after that he had asked the ſaid* Meſſenger, *why he would Kill the King? The ſaid* Meſſenger *anſwered, who told you of it? The Deponent ſaying, your Butler told me, the ſaid Meſſenger replied we are about that thing, now therefore deſired me*

no

not to speak of it, to any Body. afterwards the said Butler came to the Deponents shop, and told the Deponent that he had received great Anger, in that he had told the Deponent what Messeuger was to attempt. This Deponent further saith, that somwhat above half a Year since, he heard Mr. Wolston Paston *say, that young Sir* Henry Bedingfield *of* Oxburrough Hall *in* Norfolk, *was to have a Commission from my Lord* Arundel, *for a Troop of Horse in the Army to be raised by the Papists.*

Capt. Jurat coram
me 19. Martii 1678. Miles Prance.
Winchester.

Upon this, the House made the following Order.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Arms attending this House or his Deputy or Deputies, shall forthwith attach the Bodies of Benedict *Prosser* a *Silver-smith*, *George Bradshaw* *Gosecn*, *Maddison* a *Barber* in *Holborn* and *Adamson* a *Watch-maker*, and bring them in safe Custody to the Bar of this House, to answer such Matters as shall there be objected to them on His Majesties behalf, and for so doing this shall be a sufficient Warrant.

Whereas *Edward Sheldon* and his Wife being Popish Recusants, who should have departed out of the Cities of *London* and *Westminster*, in pursuance of His Majesties Proclamation of the 30th. of *October* last, but by reason of their Extream Age and Sickness were permitted by His Majesties Councel to stay in Town. This House being moved that the said *Edward Sheldon* and his Wife as also their two Daughters *Elizabeth* and *Katherine Sheldon*, who have no other place of abode but with their Parents, and may be of great help to them in their Sickness and old Age, may be still permitted to stay in Town, It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Edward Sheldon* and his Wife and their said two Daughters, be and are hereby Authorized and permitted to stay together in Town from the space of two Moneths, from the Date of this Order and no longer.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that *Thomas* Earl of *Danby* Lord High Treasurer of *England*, be and is hereby appointed to put in his answer in writing to the Articles of Impeachment now depending in this House against him, on or before *Thursday* the 27*th.* Day of this Instant *March* at Ten in the Forenoon.

Upon receiving several Reports offered by Sir *George Charnocke*

nock Knight Serjeant at Arms attending this Houſe, concerning Sir *Francis Radcliffe* and others. It is Ordered, that it be referred to the Lords Committees for Examining matters Relating to the Diſcovery of the late Horrid Conſpiracy, to peruſe the ſaid Reports and to do therein, as to their Lordſhips ſhall ſeem meet.

Upon reading the Information of *John Sidway* Clerk, preſented to this Houſe by the Lord Biſhop of *London* tending to the Diſcovery of the late Horrid Conſpiracy, It is Ordered, that the ſaid Information be referred to the Lords Committees for Examining matters relating to the ſaid Diſcovery to conſider thereof, and Report as their Lordſhips ſhall ſee cauſe.

This Houſe was put into a Committee, to conſider of the Bill for the better Diſcovery and more ſpeedy conviction of Popiſh Recuſants.

The Houſe being Reſumed, the Earl of *Bridgewater* Reported, that the Committee have proceeded in the Conſideration of this Bill, and have made Amendments therein, and if the Houſe pleaſe, to Order that the Houſe be put again into a Committee to Morrow Morning, it may be then finiſhed, which the Houſe Ordered accordingly.

Die Veneris 21. *Martii* 1678.

A Meſſage was brought from the Houſe of Commons by the Lord *Cavendish* and others, who was commanded by the Knights, Citizens and Burgeſſes Aſſembled in Parliament, to put their Lordſhips in mind of the Impeachment of high Treaſon, and other high Crimes, Miſdemeanours and Offences, exhibited in the Name of the Commons of *England*, againſt *Thomas* Earl of *Danby*, and to deſire their Lordſhips, that he may be forthwith ſequeſtred from Parliament and Committed to ſafe Cuſtody.

After a long debate of this buſineſs, it is Ordered, that this debate is Adjourned till to Morrow Morning.

Upon Report made by the Lord *Viſcount Faulconberg*, from the Lords Committees for Examining matters relating to the Diſcovery of the Late Horrid Conſpiracy, that their Lordſhips

Judge it reaſonable, that all the Perſons who have become Bail, or entred into Recognizance to His Majeſty at the Councel Board, for the appearance of any Perſons who have rendred themſelves, and are now in Cuſtody, be diſcharged of their ſaid Recognizances or Bonds.

It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Perſons are to attend the Clerks of the Councel, for the diſcharge of their ſaid Bonds or Recognizances.

Upon Report made by the Lord Viſcount *Faulconberg*, from the Lords Committees for Examining matters relating to the Diſcovery of the late horrid Conſpiracy, that *Henry Smith* who hath apprehended and diſcovered a Romiſh Prieſt, *viz. Nayler, alias Carpenter* ought to have the Reward promiſed by His Majeſties late Proclamation for that purpoſe publiſhed, it is Ordered, that the Lord Chancellor of *England* do move His Majeſty in Councel concerning this matter.

Upon Report made from the Lords Committees, for Examining matters relating to the Diſcovery of the late Horrid Conſpiracy, that Captain *Franck Spalding* Deputy Governor of *Chepſtow Caſtle*, who was by Order of this Houſe, dated the 21*th.* of *November* laſt, Committed to the Priſon of the *Kings-bench*, for matters wherewith he ſtands Charged, hath ſince that time been enlarged upon Bail, and being upon Bail, Commands ſtill at *Chepſtow Caſtle* as Deputy Governor, and hath misbehaved himſelf, as hath appeared to the ſaid Lords Committees. It is thereupon Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Arms attending this Houſe, or his Deputy or Deputies, do forthwith attach the Body of the ſaid *Francis Spalding*, and bring him in ſafe Cuſtody to the Bar of this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

The Lord Viſcount *Newport* Reported, that the Lords with the White Staves have attended His Majeſty with the Addreſs, concerning the Payment of Five Hundred Pound to Mr. *Bedloe*, and His Majeſty is pleaſed to ſay he will take it into his Care.

Die

Die Sabbati 22. *Martii* 1678.

THis day theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration, in purſuance of the Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from Sitting in either Houſe of Parliament.

William Viſcount *Say & Seal.*
Phillip Earl of *Pembrook & Mountgomery.*
Arthur Earl of *Angleſey* L. P. Seal.

His Majeſty Sitting in his Royal Throne, Adorned with his Royal Crown and Ornaments, Commanded notice to be given to the Houſe of Commons, that they preſently attend him, who being come with their Speaker, His Majeſty made a ſhort Speech concerning the Earl of *Danby*, Lord High Treaſurer.

And after a ſerious debate thereof, it being Reſolved upon the Queſtion in the Affirmative.

Diſſentientibus, *Northampton*,
Lucas, *Bath.* Lord *Arundel.*

The Houſe appointed a Committee to prepare a Bill, purſuant to the whole debate, more eſpecially upon theſe particulars. That *Thomas* Earl of *Danby* may be made for ever uncapable of coming into His Majeſties preſence, and of all Offices and Employments, and of Receiving any Grants or Gifts from the Crown, and of Sitting in the Houſe of Peers, and their Lordſhips Reſolutions herein to be Communicated to the Houſe of Commons at a Conference.

A Meſſage was brought from the Houſe of Commons by the Lord *Anneſley* and others, who ſaid, he was commanded to demand Juſtice in the Name of all the Commons of *England*, and to remind their Lordſhips of the Meſſage ſent by them to their Lordſhips Yeſterday, which was, that their Lordſhips would immediatly proceed upon the Impeachment of High Treaſon, and other High Crimes and Mildemeanors againſt *Thomas* Earl of *Danby*, Lord High Treaſurer of *England*, and cauſe him to be forthwith ſequeſtred from Parliament, and his Perſon Committed to ſafe Cuſtody.

The Earl of *Clarendon* Reported from the Committee of

Examinations, a Depoſition of *Titus Oates* which was read as followeth.

Middx & Weſtminſt.

The Depoſition of *Titus Oates* Dr. in Divinity taken upon Oath, the 20th. day of *March* 1678. before the Marqueſs of *Winchester*, a Juſtice of Peace for the ſaid County and Liberty.

This Deponent ſaith, that preſently after the Prorogation of the laſt Parliament, he going through the Privy Garden, met the Earl of Danby, *who ſaid, there goes one of the Saviours of* England, *but I hope to ſee him Hanged within a Moneth, this Deponent further ſaith, that there were then ſeveral Perſons with the ſaid E. of* Danby, *but he knew none of them.*

Capt & jurat 20 March
1678 coram me
Winchester.

Titus Oates.

The Earl of *Clarendon* Reported from the Committee of Examinations, an Information of *Miles Prance*, which was read as followeth.

In the Moneth of *Auguſt* 1678. I having occaſion to write to a Friend in the Country, but not well knowing how to ſend, I went to Mr. *Paſton*, who Lodged at one *Bambers* a Taylor in *Duke ſtreet*, who gave me an Account how to ſend to him, and we immediatly fell into Diſcourſe concerning the preſent poſture of Affairs, and he bid me not fear, for we ſhould ſuddenly have better times. For in the firſt place, he ſaid, that the King was a great Heretick, and that the Lord *Bellaſis*, and Lord *Arundel*, and Lord *Powis*, and Lord *Peters* would have a very good Army for the depoſing of the King, and the ſuppreſſion of all the Hereticks, and then the Catholick Religion ſhou'd be eſtabliſhed and floriſh in this Nation. He alſo ſaid, that the above-named Lords, had given out Commiſſions already to ſome Gentlemen in the Country, whom he named to me, that was one Mr *Talbot* of *Longford*, and to Sir *Henry Bennifield* of *Oxborough hall* in *Norfolk*, and one Mr. *Stones*, who lives within Four or Five Miles of *Kingſton* upon *Thames*.

Alſo about two years ago, one *Townley* of *Townley* in *Lancaſhire*, came up to *London* with his two Sons, that he was carrying over to *Doway*, he alſo brought along with him his

two

two Brothers to keep him Company, and they took Lodgings at one *Ayres* House in *Drury lane*, where *Fenwick* Lodged, and in a short time two of them went over to *Doway* with the two Lads, and left the other here, who in the Ablence of his Brothers, declared very often to my Wives Brother, and to *Adamson*, that when his Brothers came back again from *Doway*, they expected Commissions from the above named Lords, for the raising of Men to carry on the Catholick cause, this my Brother and *Adamson* often told me at *Petley*'s in *Vere-street*, where we had a Club very often of none but Papists.

Miles Prance.

Also, about the time that the Four Lords were in the *Tower*, that is, the Duke of *Buckingham*, my Lord of *Shaftesbury*, and Lord *Wharton*, and Lord *Salisbury*, that one Mr. *Knightly* came to me, and greatly rejoycing at their Imprisonment, said, now is the time for promoting of the Catholick Religion, because of the difference that was amongst the Lords, and that if the Duke of *York* did but follow the business closely, which the Catholicks had ground to believe he would, they did not doubt, but that it would be setled at that present juncture of time.

Miles Prance.

Upon Report made by the Earl of *Clarendon* from the Lords Committees, for Examining matters relating to the late discovery of the late horrid Conspiracy, and reading the Deposition of *Miles Prance*, whereby it appeareth, that *Wollaston Paston* is privy to the said Conspiracy. It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Arms attending this House, or his Deputy or Deputies, shall forthwith Attach the Body of the said *Wollaston Paston*, and bring him in safe Custody to the Bar of this House, and this shall be a sufficient Warrant on that behalf.

The Earl of *Clarendon* also Reported two Informations against *Edward Craven*, which were read as followeth.

21. *of March.* 1678.

Benjamin Werton *of the City of* London *Gentleman maketh Oath, that on* Tuesday *the fourth of this instant* March, *when the Poll was taking at St.* Georges Church *in* Southwark, *for*

Burgeſſes to ſerve in the Parliament for that Burrough, I endeavored to get into the Church to attend my Maſter Thomas Smith *Eſq; who was then there, but one* Edward Craven *hindering my Entrance, and crying out no Six Clerks Man, I asked his meaning, who anſwered that I belonged to the Six Clerks Office, and being informed by me to the contrary, and that I was Mr.* Smiths *Clerk, immediatly without any other words on my part, which might give him the leaſt occaſion to mention Mr.* Oates, *he told me that I ſhould not go in there, for* Oates *was a Rogue and had ruined the Nation, whereupon I withdrawing from the Door, and he and ſome others following me. He the ſaid* Edward Craven *ſeveral times repeated the aforeſaid words, touching Mr.* Oates, *or uſed words to the ſame effect.*

Capt. & Jurat 21. Martii.
1678. coram me Benjamin Wetton.
Clarendon.

22. *March.* 1678.

Richard Harris *of* London *Dyer maketh Oath, that upon the Fourth of this inſtant* March, *he was preſent with Mr.* Benjamin Wetton *Mr.* Smiths *Clerk in* Southwark *againſt* St. Georges Church, *and he heard one* Edward Craven *ſay, that Mr.* Oates *was a Rogue, and had undone the Nation to the beſt of His Remembrance, and ſaid, we have had enough of ſuch Rogues as* Oates *was, for he ruined the Burrough, or words to that effect.*

Capt. & Jurat 22. March
1678, coram me. Richard Harris.
Clarendon

Upon Report made by the Earl of *Clarendon*, from the Lords Committees for Examining matters relating to the Diſcovery of the late Horrid Conſpiracy, and reading the Depoſitions of *Benjamin Wetton* and *Richard Harris*, whereby it appeareth that *Edward Craven* hath uttered words Derogatory to the Reputation of *Titus Oates*, who is a principal witneſs for Diſcovery of the ſaid Conſpiracy. It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Arms attending this Houſe, or his Deputy or Deputies, ſhall forthwith Attach the Body of the ſaid *Edward Craven*, and bring him in ſafe Cuſtody to the Bar of this Houſe to anſwer for the ſame, and this ſhall be a ſufficient Warrant on that behalf.

Upon Report made by the Earl of *Clarendon*, from the Lords

Lords Committees for Examining matters Relating to the Diſcovery of the late Horrid Conſpiracy, that *Martin French* an Auguſtine Fryar reſiding at *Galloway* in *Ireland*, who was by His Majeſty (at the humble deſire of this Houſe) ſent for hither to be Examined, as a witneſs before the Houſe of Peers, hath been Examined before the ſaid Lords Committees, who are of Opinion, that he may be diſcharged from any further attendance, and that he may return for *Ireland*, being deſtitute of Moneys for his ſupport here. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be graciouſly pleaſed to give order, for the ſafe return and paſſage of the ſaid *Martin French* into *Ireland*, and to afford him ſuch neceſſary ſupplies to defray the Charges of his coming hither, and returning as to his Majeſties Royal Bounty ſhall ſeem meet.

Die Lunæ 24. *Martii* 1678.

THis day theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration, in purſuance of the Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from Sitting in either Houſe of Parliament.

Henry Lord *Sandis*.
William Lord Biſhop of St. *Davids*.
James Lord Biſhop of *Worceſter*.

Upon Report made by the Earl of *Shaftesbury*, from the Lords Committes for examining Matters relating to the diſcovery of the late horrid Conſpiracy, concerning a Pamphlet publiſhed in Print in *French*, concerning the ſaid Conſpiracy, It is Ordered by the Lords Spiritual & Temporal in Parliament Aſſembled, that the Earl of *Bridge water*, Earl of *Clarendon*, the Earl of *Eſſex* or any two of them, do repair to the *Tower* of *London*, and Examine the Lords who are Priſoners in the *Tower*, in ſuch Manner as they ſhall think fit, concerning the

Matters mentioned in the ſaid Pamphlet, and make Report to this Houſe.

Whereas *Humphrey Addamſon*, *George Bradſhaw* and *Chriſtopher Maddiſon* were this day brought to the Bar by the Serjeant at Arms attending this Houſe, where they denied what is Charged againſt them upon Oath, concerning the Contriving the Death of the Earl of *Shaftesbury*, as alſo *John Goſcene*, who denied what is in like Manner charged, with dangerous words by him uttered relating to the K. it is Ordered, that the ſaid *Humphrey Addamſon*, *George Bradſhaw*, *Chriſtopher Maddiſon* and *John Goſcene*, ſhall ſtand Committed to the Priſon of the *Gate-houſe* at *Weminſter*, there to remaine Priſoners till they ſhall be delivered by due Courſe of Law, and this ſhall be a ſufficient Warrant on that behalf.

Upon Report made by the Earl of *Shafiesbury*, from the Lords Committees for examining Matters relating to the late horrid Conſpiracy, concerning a Pamphlet publiſhed in Print in *French*, concerning the ſaid Conſpiracy, the Houſe taking Notice of a Pamphlet publiſhed in *Engliſh* to the ſame effect with that in *French*. It is Ordered that it be referred to the ſaid Lords Committees, to examine how the ſaid *Engliſh* Pamphlet came to be publiſhed, and by whom, and the Printer thereof, and make Report thereof to the Houſe.

The Earl of *Eſſex* Reported, that in Order to their Lordſhips directions on *Saturday* laſt, the Lords Committees have prepared a Bill concerning *Thomas* Earl of *Danby*, which was received.

Hodie prima vice lecta eſt Bilia, an Act for diſabling *Thomas* Earl of *Danby*.

After conſideration upon the proceedings againſt the Earl of *Danby*, the Houſe made the enſuing Order.

Whereas, *Thomas* Earl of *Danby* is Impeached by the Commons Aſſembled in Parliament of Treaſon, and other high Crimes and Miſdemeanours. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Gentleman Uſher of the Black Rod Attending this Houſe, do forthwith take the ſaid *Thomas* Earl of *Danby* into his Cuſtody, and bring him in ſafe Cuſtody to the Bar of this Houſe, to Morrow at Ten of the Clock in the Forenoon.

A Meſſage was brought from the Houſe of Commons by Sir *Henry Capel* and other, to acquaint their Lordſhips, that the Knights, Citizens and Burgeſſes of the Houſe of Commons Aſſembled in Parliament, had by a Queſtion in their Houſe *Nemine contra dicente* commanded him to demand Juſtice of their Lordſhips, that *Thomas* Earl of *Danby* may be

ſequeſtred from ſitting in Parliament, and Committed to ſafe Cuſtody.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothey Baldwyn*, and Sir *John Hoſkins*, to let the Houſe of Commons know, that the Lords taking into conſideration the Meſſage received from the Houſe of Commons on *Saturday* laſt, that the Earl of *Danby* might be ſequeſtred from Parliament, and put into ſafe Cuſtody, did this Morning upon Debate, Order that the Gentleman Uſher of the Black Rod, do forthwith take the ſaid Earl into Cuſtody, and him ſafely keep till he bring him to the Bar of this Houſe to morrow Morning, and their Lordſhips thought fit to acquaint the Houſe of Commons, that this was done before they received the laſt Meſſage to that purpoſe.

Die Martis 25: *Martii* 1679.

THe Earl of *Bridge water* Reported, that himſelf and thoſe Lords appointed yeſterday have been with thoſe Lords, who are Priſoners in the *Tower*, and have ſhewed them the *French* printed Pamphlet, and asked them what they know concerning it, to which each Lord gave anſwer as followeth.

The Earl of Powis confeſſeth, that a Perſon was imployed into Flanders *by himſelf and others Priſoners in the* Tower, *whoſe Buſineſs was to enquire into particulars relating to the Evidence againſt them, but he knew not the Perſons name, who was to be employed, nor could he tell which of the Priſoners it was that agreed in the thing, only ſome diſcourſe they had one with another. It being ſaid among them, that one was going over who would uſe his endeavors to ſearch into theſe Matters, but he did not remember who it was that firſt moved this diſcourſe, and the time was about Chriſtmas laſt. His Lordſhip owned that he had ſeen the Book, it having been brought to Sir* John Robinſon, *and Mr.* Dawes *told his Lordſhip of it, and helped him to a ſight of it. That this Man named in the Pamphlet to be their Agent cannot be the Perſon, for that he, who was imployed had an* Engliſh *Name.*

The Viſcount Stafford *confeſſeth, that himſelf and ſome of the Priſoners had talked of a Perſon, who went into* Flanders, *but his Name he knoweth not, who was to enquire concerning* Oates *his Teſtimony, he knowes nothing of* Gibert, *nor hath heard*

heard of his Name, that he had ſeen a Pamphlet in Engliſh *but not this in* French *till now, that he did not concern himſelf for* Oates *Teſtimony, he having ſaid little againſt him.*

Lord Peter *confeſſeth, that he had heard ſay that Wineſſes might be found out, who would invalidate ſome of the Teſtimonies againſt them who were in Priſon, he had alſo heard that one did go into* Flanders *about Six or Eight weeks ago about this Buſineſs, but he knowes not his Name, nor had any thing to do in ſending him.*

He had ſeen but not read this French *Pamphlet, as alſo the* Engliſh *one, theſe having been ſent to Sir* John Robinſon, *as to* Grebert *he ſaid he knew nothing of him.*

Lord Arundel *confeſſeth, that he hath heard of one who went over about two Months ſince into* Flanders, *to make inquiry of particulars Relating to the Accuſations againſt the Lords &c. but he knew not his Name, only he is ſure 'tis not* Grebert, *that he had ſeen the Pamphlet.*

Lord Bellaſis *ſaith, that he never imployed, nor heard of any imployed into* Flanders *to enquire concerning the Evidence of this Plot, that he hath heard of this Pamphlet, but hath not ſeen it before.*

A Meſſage was brought from the Houſe of Commons by Sir *Robert Clayton* and others, to acquaint their Lordſhips, that the Houſe of Commons have paſſed a Vote unanimouſly, wherein their Lordſhips Concurrence is deſired.

The ſaid Vote was read, and Agreed to *Nemine contra dicente*, with Adding of theſe words (By the Lords Spiritual and Temporal and Commons in Parliament Aſſembled.)

The Vote made into Form is as followeth.

Reſolved, (*Nemine contradicente*) By the Lords Spiritual and Temporal and Commons in Parliament Aſſembled.

That they do Declare, that they are fully ſatisfied by the Proofs they have heard, that there now is, and for divers Years laſt paſt hath been, a Horrid and Treaſonable Plot and Conſpiracy, contrived and carried on by thoſe of the Popiſh *Religion, for the Murthering of His Majeſties Sacred Perſon, & for ſubverting the* Proteſtant *Religion, and the Antient and Eſtabliſht Government of this Realm.*

Ordered, that the Vote agreed to this day by both Houſes of Parliament, concerning the Horrid and Treaſonable Plot and Conſpiracy, ſhall be Printed and Inſerted in the firſt leaf of the Office, to be Publickly uſed on the day Appointed by His Majeſty, for ſolemn Faſting and Humiliation.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothey Baldwyn* and Sir *John Hoskins*, to let them know that

as

as ſoon as their Lordſhips received the Vote this day from them, they read it and have unanimouſly agreed thereunto.

The Gentleman Uſher of the Black Rod gave this Houſe an account, that as ſoon as he had received the Order of this Houſe, for taking into his Cuſtody *Thomas* Earl of *Danby*, and to bring him to the Bar of this Houſe; this Morning he went immediatly to his Lordſhips Houſe here in Town, and two ſeveral times hath ſearched for him, but cannot find him, and his Lordſhips Servants ſay they know not where he is, and this Morning he went to *Wimbleton*, and made ſearch there but cannot find him.

The Lords thought fit to give Notice of this to the Houſe of Commons, and a Meſſage was ſent to the Houſe of Commons by *Baron Littleton*, and *Baron Thurland*, to acquaint them that the Lords have Received an Account from the Gentleman Uſher of the Black Rod, who was Ordered yeſterday to take *Thomas* Earl of *Danby* into Cuſtody, and to bring him to the Bar of this Houſe this Morning, but after diligent ſearch made for him, he is not to be found.

Hodie ſecunda vice lecta eſt Billa, an Act for diſabling the Earl of *Danby*.

And after ſome Debate, the Queſtion being put, whether this Bill ſhall be now Committed, it was Reſolved in the Affirmative.

Angleſey: *Diſſentiente* for theſe Reaſons.

1. *Becauſe no ſummons or hearing of the Party is firſt directed, which by the eſſential Formes of Juſtice ought to be.*

2 *Becauſe it's conceived this will be Erroneous.*

3. *Becauſe it's a Dangerous preſident againſt all the Peers, to have ſo penal a Bil precipitated.*

4. *Becauſe no Committee can proceed on any Bill without hearing parties, and no Peer is to be tried in Parliament, but by the whole Houſe of Peers.*

Having given my vote againſt the bringing in an Act intituled an Act for diſabling T. *Earl of* Danby, *and voting againſt the Commitment of that Act, I enter my diſſent.*

Berkeley:

Ordered, that this Bill is Committed to a Committee of the whole Houſe, to be taken into Conſideration to morrow Morning.

The Earl of *Clarendon* Reported from the Lords Committees, for examining Perſons concerning the Diſcovery of the late horrid Conſpiracy, a *Paper* for the clearing of Sir *Robert*

bert Southwel from ſome falſe Aſperſions, which have been caſt upon him, which the Lords Committees deſire may be entred into the Journal Book of this Houſe for his Vindication, the ſaid *Paper* was read as followeth.

Whereas, *Stephen Dugdale* did on *Friday* the 21*th.* Inſtant in his Depoſition made before the Lords Committees, for receiving Information tending to the Diſcovery of the late horrid Conſpiracy ſet forth as followeth.

That for theſe two years laſt paſt, all or moſt *Letters* that were ſent to Mr. *Euers* were directed to the Deponent, and that about the 13*th.* or 14*th.* of *October* laſt (but of the time he is not very certain) there came two *Letters* from *Harcourt* and *Bennifield*, to the ſaid Mr. *Euers*, in one or both of which *Letters* was expreſſed, that this Night Sir *Edmond-Bury Godfrey*, is diſpatched, which when the ſaid *Euers* read to the Deponent, the Deponent told the ſaid *Euers* he would be hanged if that did not overthrow the whole Buſineſs, which made *Euers* Anſwer, no. It will not be taken to be us, for he uſed to puniſh Lewd Perſons; and ſuch as uſed to go to Debauched houſes, and it will be ſuppoſed to be ſome of thoſe that have Killed him.

Upon which depoſition, the ſaid Lords took notice, that in the Book of proceedings of the Committee of the privy Councel touching the plot, there was mentioned on the 11*th.* of *January* laſt, no more relating to this matter than in the words following.

That upon notice of the Murther of Sir *Edmond Godfrey*, he much blamed to Mr. *Euers* the Indiſcretion of that Buſineſs, as a thing that might help to Diſcover their Deſign, but Mr. *Euers* told him it could not do much hurt, for he being a Man much given to puniſh Debauchery, it would eaſily be thought that ſome of them had done it.

Whereupon the Lords did Interrogate the ſaid *Stephen Dugdale*, whether he had not formerly told the Committee of the Councel, as well concerning the time and the *Perſon* or *Perſons*, who writ the *Letters* in his Depoſition mentioned, as of the diſcourſe which paſſed between him and *Euers* thereupon, or whether any Member of the ſaid Committee, or the Clerk of the Councel, who then Attended them, did tell him that it was not Material to make mention of the ſaid time or *Perſons*. The ſaid Deponent ſaith, that he did never mention any thing, either of the ſaid time or of the ſaid *Perſons* unto that Committee or to the Clerk of the Councel Attending them, nor was he told by any of them, that to mention the ſaid time and *Perſons* was not Material, and he doth

doth upon his Oath declare, that although he did mention that Circumſtance to one Mr. *Charles Cheſwyn*, when they diſcourſed about the Murther, yet when he came before the ſaid Committee, it being at a time when he brought much other Evidence with him in writing, it did not Occur to him to mention more than was ſet down in the Entry Book of the ſaid Committee. He being then asked, as it were by chance, what was ſaid amongſt them upon that Murther; and further he thinks himſelf bound to teſtify, that it was not poſſible to have more care taken then was uſed, to ſet down all things he ſaid with exactneſs, and without Adding or Diminiſhing, for ſo it was Ordered by the ſaid Commitee, and ſo put in practice by Sir *Robert Southwel* that attended them.

All which particulars having paſſed before their Lordſhips on the ſaid 21*th* inſtant, and Sir *Robert Southwel* appearing before their Lordſhips this day, and complaining, that by the contrivance of ſome *Perſons* were ſpread abroad againſt him very injurious Reflections, as if he had wilfully ſuppreſt that Material part of his Evidence, which now appears he never had knowledge of. And that even this Entry was unduly inſerted by him in the place where now it is, which appears impoſſible, and praying their Lordſhips, that after the ſtrict enquiry which hath been made by their Lordſhips into the Bottom of the proceedings, their Lordſhips would either blame or acquit him, as to their Lordſhips ſhould ſeem moſt juſt.

Their Lordſhips taking into conſideration, that they had not only the Teſtimony of Mr. *Dugdale*, but the concurrence of Nine or Ten of the Lords of that Committee then preſent, who retained a perfect Memory of this particular, have thought fit to declare, that they are intirely ſatisfied with the care and integrity of the ſaid Sir *Robert Southwel*, and what ever Reflections have been raiſed againſt him to the contrary, are groundleſs and injurious, and their Lordſhips Order, that a full Entry thereof, be made in their Book in Order to his Vindication.

Ordered, that this Vindication be entred.

The Lord Chief Juſtice of the Common Pleas, and Baron *Thurland* made this Report following.

In obedience to your Lordſhips Order of the 18th. inſtant, we have conſidered of the State of the Laws now in being, how they ſtand as to the clearing the Cities of London *and* Weſtminſter *from Popiſh Families, and wherein the ſaid Laws are defective, and*

and do humbly offer to your Lordſhips, that beſides the general Laws againſt Recuſants, unto which all Popiſh Recuſants in and about the Cities of London *and* Weſtminſter *are lyable, we find none in particular relating unto the ſaid Cities, but the ſtat.* 3. Jac *c.* 5. *Par.* 4.

The meaning of which Law ſeems to be for the freeing of the City of London, *and within Ten Miles Compaſs of it from Papiſts but the ſaid Law is not clearly Penned, and there is no proviſion to compell any Pariſh to receive ſuch Perſons, as ſhall be willing to remove in purſuance of it.*

Whereupon, we humbly conceive there will need ſome Explanatory or Supplemental Law to make it fully effectual in this behalf.

Franck North.
Edward Thurland.

Ordered, that this Report ſhall be conſidered, when the Houſe takes into Conſideration the means for the better ſecuring of the Proteſtant Religion.

Upon Report made by the Earl of *Clarendon*, from the Lords Committees for Examining matters, relating to the diſcovery of the late Horrid Conſpiracy, that their Lordſhips are of Opinion, that *Edward Turner* a Prieſt and Jeſuit, who hath been Examined before them, and is now in the Cuſtody of *Franck Strut* a Meſſenger ſhould be committed to Priſon, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Franck Strut* ſhall forthwith deliver the ſaid *Turner* into the Priſon of the *Gate-houſe* at *Weſtminſter*, there to remain as a Priſoner till he be delivered by due courſe of Law, and this ſhall be a ſufficient Warrant on that behalf.

The Houſe being moved, that Enquiry may be made what care is taken for the ſafety and preſervation of His Majeſties Kingdom of *Ireland*, in this time of imminent Danger. It is Ordered that this Houſe will conſider thereof on *Munday* next, at which time the Lord *Butler* is to bring into this Houſe ſuch Orders as are come to his hands relating thereunto.

The Houſe was put into a Committee, to conſider of the Bill for the better diſcovery and more ſpeedy Conviction of *Popiſh* Recuſants, the Houſe being reſumed, the Earl of *Bridge-water* Reported, that the Committee of the Houſe hath conſidered the Bill for the better Diſcovery and the more ſpeedy Conviction of the *Popiſh* Recuſants, wherein they have made ſome Amendments, and added two Proviſoes, which

which are offered to their Lordſhips Conſideration, the ſaid Amendments and Proviſoes were read twice and agreed, and the Bill Ordered to be Ingroſſed with the ſaid Amendments and Proviſoes.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Judges of Aſſize in their reſpective Circuits, be and are hereby required to give directions to the Reſpective Sheriffs of Counties, and all other Perſons concerned therein, for the effectual ſecuring of all ſuch Perſons, as now are or hereafter ſhall be Priſoners within their Reſpective Juriſdictions and Charges, for any matter relating to the late Horrid Conſpiracy.

The Houſe being moved by the Lords Committees, for Examining matters relating to the diſcovery of the late Horrid Conſpiracy, that a Blank Warrant may be iſſued by the Clerk of the Parliaments, to ſearch for and ſeize ſome Papers and Perſons, which may make a further Diſcovery thereof, and that their Lordſhips may be intruſted to inſert the place or Houſe to be ſearched, as alſo the Names of the Perſons who ſhall Execute the ſaid Warrant, to prevent a Diſcovery of the intended ſeizure, upon Conſideration had thereof. It is Ordered, that ſuch a Blank Warrant ſhall be iſſued as is deſired, ſo as the Search to be made be not in the Houſe of any Member of either Houſe of Parliament, which their Lordſhips aſſured the Houſe they would take care of.

Die Mercurii 26. Martii 1679.

H*Odie tertia vice lecta eſt Billa*, an Act for the better Diſcovery and the more ſpeedy Conviction of *Popiſh* Recuſants.

The Queſtion being put whether this Bill ſhall paſs, it was reſolved in the Affirmative.

A Meſſage was ſent to the Houſe of Commons, by Sir *Timothy Baldwyn* and Sir *John Hoskins*, to deliver them the Bill for the better Diſcovery, and the more ſpeedy Conviction of Popiſh Recuſants, and deſire their Concurrence thereunto.

The Lord Biſhop of *Bath* and *Wells* reported, that the Committee

mittee have considered the Bill for disabling any Person from sitting in either House of Convocation, till he hath taken the Oathes, and made and subscribed the Declaration contained therein, and have made some Amendments therein, and added a proviso, which they Offer to the Consideration of the House, which Amendments and Proviso were read twice and agreed to, and the Bill Ordered to be ingrossed, and the Lord Bishop of *Bath* and *Wells* asked leave to bring in another Bill to include more of the Clergy, which was granted.

The House was going to be Adjourned into a Committee, to consider of the Bill for disabling the Earl of *Danby*, and it was moved, that the Committee might have power to Amend the said Bill, as they should think fit, which was Ordered accordingly.

The House was Adjourned into a Committee to consider of the said Bill, the House was resumed, and the Question being put, whether to proceed further in this Bill without summoning the party concerned, it was resolved in the Affirmative.

The House was again Adjourned into a Committee, and being resumed, the Earl of *Bridgewater* Reported, that the Committee have taken the Bill for disabling *Thomas* Earl of *Danby* into consideration, and have made alteration both in the Title and the maine Body, turning it into a Banishment, the Amendments were read twice and agreed to, and it is Ordered, that the said Bill be engrossed with these Amendments.

Ordered, that to Morrow this House will take into consideration the way and means of clearing the Cities of *London* and *Westminster* of *Popish* Families, and at the same time to consider of the Report of the Judges, concerning this Business,

The House being moved, that Mr. *Henry Gage*, Mr. *Franck Gage*, Mr. *John Gage*, and Mr. *William Aston* may have leave to Travail into parts beyond the Seas. It is Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that all such Examinations taken at His Majesties Councel Board, wherein the said *Gages* or Mr. *Aston* may be concerned, are to be brought by one of the Clerks of the Councel before this House to morrow Morning, to the end, that further directions may therein then be given, as this House shall think fit,

Die

Die Martis 26. Martii. 1679. Poſt Meridiem.

Hodie tertia vice lecta eſt Bills, an Act for Baniſhing and diſabling *Thomas* Earl of *Danby*.

The queſtion being put whether this Bill ſhall paſs, it was reſolved in the Affirmative.

Diſſentientibus, Northampton.
Aylesbury. Berkley.

A Meſſage was ſent to the Houſe of Commons, by Sir *Miles Cook* and Sir *John Hoskins*, to deliver to them the Bill for Baniſhing and diſabling *Thomas* Earl of *Danby*, and deſire their Concurrence thereunto.

Die Jovis 27. Martii 1679.

THis day *William* Earl of *Marleborough* took the Oaths of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act for the more effectual peſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

Hodie tertia vice lecta eſt Bill, an Act to diſable any Perſon from ſitting in any of the Houſes of Convocation, till he hath taken the Oathes, and made and ſubſcribed the Declaration therein contained.

The Queſtion being put, whether this Bill ſhall paſs, it was reſolved in the Affirmative.

A Meſſage was ſent to the Houſe of Commons by Sir *William Beverſham* and Sir *Miles Cook*, to deſire the Bill to diſable any Perſon from ſitting in any of the Houſes of Convocation, till he hath taken the Oathes, and made and ſubſcribed the Declaration therein contained, and deſire the concurrence of the Houſe of Commons thereunto.

The Earl of *Clarendon* Reported from the Committee for Examination of Matters, relating to the diſcovery of the late horrid Conſpiracy, that whereas *Edward Craven* hath been

Attached by Order of this Houſe upon the complaint of Mr. *Oates*, the ſaid *Craven* hath acknowledged his Offence, ſo the Lords Committees are of Opinion, if this Houſe pleaſe to diſcharge him from his preſent reſtraint, that he firſt give an acknowledgement under his hand, that he hath affronted Mr. *Oates*.

Upon Report made from the Lords Commmittees for Examining Matters, relating to the diſcovery of the late horrid Conſpiracy, that their Lordſhips Judge it requiſite, that their ſhould be ſome Money in their Power to be diſpoſed of for Encouragements and Rewards, to ſuch Perſons (being poor) who have made or ſhall make diſcoveries relating to the ſaid Conſpiracy. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Earl of *Eſſex* be and is hereby appointed to Attend His Majeſty, humbly to deſire him from this Houſe, that he will be gratiouſly pleaſed to give Order, that one hundred Pounds may be paid out of His Majeſties Treaſury in the Exchequer without Fees, into the hands of the Clerk of the Parliament, to be thence iſſued to ſuch Perſons as the ſaid Lords Committees ſhall think fit to direct.

The Earl of *Clarendon* further Reported from the Lords Committees for examining Matters, relating to the diſcovery of the late horrid Conſpiracy, that *Humphrey Weld* Eſquire hath been repreſented unto them under ſuch Circumſtances, as render him ſuſpected to be *Popiſhly* affected, if not a *Papiſt*. Therefore the Opinion of the Committee is, that he may be put out of the Commiſſion of the Peace, & Removed from being a Deputy Lieutenant, and put from the Government of *Portland* Caſtle, and that his own Caſtle called *Lulworth* may be ſearcht for Armes. The Lord Chancellor hereupon did Aſſure the Houſe, that he would forthwith give directions he ſhould be put out of the Commiſſion of the Peace.

And the Houſe made the enſuing Order, *viz*.

Upon Report made by the Earl of Clarendon, *from the Lords Committees for examining Matters relating to the diſcovery of the late horrid Conſpiracy, that* Humphrey Weld *Eſquire, preſent Governor of* Portland *Caſtle, is repreſented to their Lordſhips under ſuch Circumſtances as render himſelf ſuſpected to be* Popiſhly *affected*, (*if not a* Papiſt) *It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord* Gerard *of* Brandon *do Attend His Majeſty, humbly to deſire*

desire him from this House, that Lulworth *Castle being the dwelling House of the said* Humphrey Weld, *and* Portland *Castle whereof he is Governor, may be searched for Armes, which may be concealed in or about either of the said Castles. And that His Majesty will be pleased to put him out of the Government of* Portland *Castle.*

The Earl of *Clarendon* Reported further, that the Keeper of *Newgate* Prison had Assured the Lords Committees, that there is no infectious Disease now in that Prison as was Reported.

Also his Lordship Reported, that the Serjeant at Arms had given the Lords Committees an Account, that he had Endeavored what he can at present to apprehend *Wollaston Paston* the Priest, but he is not to be found.

Captain *Francis Spalding* being brought to the Bar by the Serjeant at Arms, was asked, whether he is not under Bail, which he acknowledged, and that Sir *Ralph Dalaval* and Mr. *Bankes* are his Bail taken in the *Kings Bench*, and being asked why he went down to *Chepstow* Castle being a Prisoner under Bail, and by whose Order, he said he had no Order for it, but went of his own head.

Then the Matter wherewith he was Charged, and for which he was Committed on the 24*th*. of *November* last was read, and also the Deposition of *Thomas Crowder* a Soldier of that Garrison was read, *viz*.

Monmouth ss. The Deposition of *Thomas Crowder*, one of the Soldiers of *Chepstow* Garrison, taken before the right Reverend Father in God Lord Bishop of *Landaff*, one of His Majesties Justices of Peace for the County aforesaid the 23*d*. of Day of *January* 1678.

This Deponent being sworn, saith, that being in Captain *Francis Spalding* his Chamber at *Chepstow* Castle about the 11*th*. of *November* last past, he this Deponent heard the said Captain *Spalding* say, that if he had been at home when *William Bedloe* was in the town of *Chepstow*, he would have secured the said *William Bedloe* from discovering of the Plot.

Sworn before me. The mark of *Thomas Crowder.*
William Landaff.

The matter of which Depoſition, the ſaid Captain *Spalding* denied, and being commanded to withdraw, the Houſe made the Order following.

Whereas Captain *Francis Spalding* who was on the 21*th.* of *November* laſt committed to the Priſon of the *Kings-Bench* there to remain in ſafe Cuſtody till further Order, hath ſince procured his Enlargement upon Bail, and repaired to *Chepſtow* Caſtle as Deputy Governor thereof, and Miſbehaved himſelf there as appeareth by the Depoſition of *Thomas Crowder*, and others upon which he was this day examined at the Bar, being now in the Cuſtody of the Serjeant at Arms Attending this Houſe. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Francis Spalding* be Recommitted to the Priſon of the *Kings-Bench*, there to remain in ſafe Cuſtody till further Order; and that the ſaid Serjeant at Arms or his Deputy, take care to convey him the ſaid *Francis Spalding* to the ſaid Priſon, and this ſhall be a ſufficient Warrant on that behalf.

The Earl of *Bridgewater* acquainted the Houſe, that when he and the Earl of *Clarendon* and the Earl of *Eſſex* were at the *Tower*, the Lord *Bellaſis* and Lord *Viſcount Stafford* deſired their Lordſhips to repreſent their deſires to His Majeſty, that they may have Liberty for Perſons to come to them upon their Occaſions, and their Lordſhips moving His Majeſty herein, he leaves it to the Houſe to conſider of it.

Hereupon the Houſe made this enſuing Order.

It being repreſented to this Houſe, that the Lord *Viſcount Stafford*, and the Lord *Bellaſis* now Priſoners in the *Tower*, do humbly deſire that they may have the Liberty of Perſons coming to them, for preparing themſelves for their Defence and Ordering their own Affaires, upon conſideration had thereof. It is Ordered by the Lord Spiritual and Temporal in Parliament Aſſembled, that the Lord *Viſcount Stafford* and the Lord *Bellaſis*, and the other Lords Priſoners in the *Tower*, ſhall have the Benefit of the Acceſs of ſuch Perſons to them or any of them, as may be uſefull to them for the purpoſes aforeſaid, ſo as the ſaid Lords do cauſe Liſts of the Names of ſuch Perſons, as are from time to time to be made uſe of by them reſpectively, to be forthwith brought into this Houſe.

Ordered. *By the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr.* Richard Langhorne *now Priſoner in Newgate, and all other Perſons now Priſoners there, or in the Priſon of the* Gate-houſe *at* Weſtminſter, *or Priſon of the Kings-Bench*

Bench for any matters relating to the late horrid Conſpiracy, ſhall have the Benefit of Acceſs of ſuch Perſons to them reſpectively, as may be Neceſſary to help them in making their Defences upon their reſpective Trials; provided that they ſend particular Liſts of the Names of the ſaid Perſons, forthwith into this Houſe.

The Earl of *Clarendon* Reported, that the Committee for Examinations have peruſed what was brought before them by one of the Clerks of the Councel, according to the Order made Yeſterday, concerning the three *Gages* and Mr. *Aſton*, and do not find that there was any Information before the Committee of Councel, but only againſt Mr. *Franck Gage*, which Information their Lordſhips have appointed to be brought before them, and that Mr. *William Aſton* was before the Lords Committees of the Councel, and there diſcharged.

Upon Information given to this Houſe, that at *Holbeck* in *Nottinghamſhire*, there is a ſetled Colledge of Jeſuits, and a Library of Books belonging to them worth about a Thouſand Pounds, which is not fit to remain there. It is *Ordered*, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with White Staves do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order, that one or more of the Meſſengers attending His Majeſties Councel Board, may be ſent to ſeize and bring away the ſaid Books to be diſpoſed off, as His Majeſty ſhall think fit.

Ordered, that to morrow Morning this Houſe will take into Conſideration the Clearing of *London* and *Weſtminſter* from Popiſh Families, and to conſider of the Judges Report concerning the State of the Law touching that particular.

Die Veneris 28. *Martii.* 1679.

THe Houſe was Adjourned into a Committee, to conſider of the clearing of the Cities of *London* and *Weſtminſter* from Popiſh Families, in order thereunto to conſider the Report of the Judges concerning the State of the Laws in that caſe.

The Houſe was Reſumed, then the Earl of *Bridgewater*

Reported, that the Committee of the whole House have been in Consideration of the way and means of clearing the Cities of *London* and *Westminster* from Popish Families, and the Opinion of the Committee is, that it be referred to the Lord Chief Justice of the Common Pleas, and Mr. Attorney Gen. to draw up a Bill in pursuance of their Lordships debate, making use of a Bill which was in consideration the last Parliament, for putting out of *London* and *Westminster* Papists of particular Trades, adding or leaving out what they think fit, and that they present the same to this House, with what expedition they can, to all which this House Agreed, and Ordered the same accordingly.

Then the House was again Adjourned into a Committee, to consider of the securing the Protestant Religion, the House being Resumed, the Earl of *Bridgewater* Reported, that the Committee is of Opinion, that the Clerk of the Parliament do give this House an account to morrow Morning, what Bills, proceedings or Votes of the House, or at any Committees have been agitated the last Parliament, concerning securing the Protestant Religion, that so their Lordships may proceed the more clearly in this Business, which the House Ordered accordingly.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Committee for Examinations, taking to their Assistance the Kings Councel, do put the Papers now before them into such a Method, to be sent to the House of Commons, that this House may have a Report thereof on *Tuesday* Morning.

Upon Report made by the Lord Bishop of *Landaffe*, of some depositions taken in pursuance of an Order of this House, concerning Captain *Francis Spalding* late Deputy Governor of *Chepstow* It is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the said papers be referred to the Consideration of the Ls. Committees, for Examining matters relating to the discovery of the late Horrid Conspiracy, to proceed thereon as their Lordships shall see cause

Whereas Benedict *Prosser*, who is a Prisoner under Bail was by Order of the 20th. instant to be taken into Custody, and brought to the Bar by the Serjeant at Arms attending this House, who hath given an account, that notwithstanding his utmost endeavors, he cannot find the said *Benedict Prosser*, who absconderh in places unknown, it is Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that the Serjeant at Arms attending this House his Deputy or Deputies,

ties, do forthwith Attach the Bodies of Mr. *Redwood*, and Mr. *Glaſcock*, (who are Bail for the ſaid *Benedict Proſſer*,) and bring them in ſafe Cuſtody to the Bar of this Houſe, and this ſhall be a ſufficient Warrant on that behalf.

The Lord Gerard *Reported, that he hath preſented the Addreſs of this Houſe to His Majeſty concerning Mr.* Humphrey Weld, *and His Majeſty Commanded him to Return this Anſwer, that His Majeſty hath already appointed another Perſon to be Governor of* Portland Caſtle *in the place of Mr.* Weld.

Upon Reading the Petition of Dame *Mary Smith*, the Widdow of Sir *Thomas Smith* of *Sproxton* in the County of *Leiceſter*, ſhewing that ſhe and three of her Children (not being ſatisfied that they may take the Oathes,) have been for ſeveral Weeks Impriſoned in the Common Goal at *Nottingham*, to the Ruin of her Eſtate and decay of her health, being very Aged and Infirm. Upon Conſideration had thereof, it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Mary Smith* giving ſecurity or Bail before ſome Juſtice of the Peace for the County of *Nottingham*, that ſhe and her Daughter *Martha* will reſide quietly at her own uſual dwelling houſe, and appear upon any Summons, be and are hereby diſcharged from their preſent Impriſonment for the cauſe aforeſaid, and this ſhall be a ſufficient Warrant on that behalf.

Die Sabbati 29. Martii 1679.

THis day theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration, in purſuance of the Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from Sitting in either Houſe of Parliament.

Edward Lord *Howard.*
Gilbert Earl of *Clare.*

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Meſſenger appointed by His Maje-

fty to ſeize and bring away the Books, which are ſecured at *Holbeck* in *Nottinghamſhire*, be and is hereby Authorized and required to bring away alſo the Trunks, which remain there under ſeizure and ſealed up, and for ſo doing this ſhall be a ſufficient Warrant.

Upon Report made by the Earl of Clarendon *from the Lords Committees, for Examining matters relating to the Diſcovery of the late Horrid Conſpiracy, that upon Searching the Houſe of* Humphrey Weld *Eſq; there are found in a* Grotto *in the Garden, ſeveral Cheſts and Trunks, which the ſaid* Humphrey Weld *alleadgeth, are goods left in his Hands by* Don Pedro de Ronquillo *late* Spaniſh *Ambaſſador here, for a Security of a Summ of Money paid by him for the ſaid* Don Pedro de Ronquillo. *It is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that Sir* Timothy Baldwyn *one of the Maſters of the Chancery, Sir* Robert Southwell, Edward Wharton *Eſq; and Mr.* Blaithwaite *be hereby appointed forthwith to ſearch the ſaid Cheſts and Trunks ſo ſeized, and peruſe the* Papers *therein; and give this Houſe an Accounts of what they find.*

Upon information given to this Houſe, that *Richard Taſbrough* Eſquire, (who is Charged to be Guilty of the late horrid Conſpiracy, for which he was Committed to the Priſon of the *Kings Bench*, hath ſince been enlarged upon Bail, and is now to be brought to his Trial at the Aſſizes at *Bury* in the County of *Suffolk*, upon Conſideration had of the Cafe of the ſaid *Richard Taſbrough*. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Judge of Aſſize for that County be and is hereby directed, that his Lordſhip proceed no further upon the Trial of the ſaid *Richard Taſbrough*, than to the Indictment of him and the finding thereof by the Grand Jury; and that the ſaid *Richard Taſbrough* may be ſafely ſent up to *London*, in Order to his Trial, to be had at the Bar of the Court of *Kings Bench*. And it is further Ordered, that Mr. *Thomas Beake* one of the Meſſengers Attending His Majeſties Councel Board, be and is hereby Authorized and required with all ſpeed to Attend the Judge of Aſſize for this purpoſe, and to take Care of the Execution of this Order, as to the bringing up the ſaid *Richard Taſbrough* in ſafe Cuſtody, in Order to his intended Trial, and for ſo doing, this ſhall be a ſufficient Warrant.

Whereas Benedict Proſſer *was this day brought to the Bar by the Serjeant at Arms Attending this Houſe, where the ſaid* Benedict Proſſer *bearing what was Charged upon Oath upon him, denied the ſame. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid* Benedict Proſſer *ſhall remain*

remain in the Cuſtody of the Gentleman Uſher of the Black Rod Attending this Houſe, and be brought to the Bar on Monday *Morning, and this ſhall be a ſufficient Warrant on that behalf.*

Ordered, that *Miles Prance* be and is hereby required to appear at the Bar of this Houſe on *Monday* next, at Ten of the Clock in the Forenoon, at which time *Benedict Proſſer* is to appear at the Bar alſo, and hereof the ſaid *Miles Prance* may not fail.

Whereas, Mr. *Redwood* and Mr. *Glaſcock* (who were Bail for *Bendict Proſſer*) were this day brought to the Bar by the Serjeant at Arms Attending this Houſe, as alſo the ſaid *Benedict Proſſer*, who abſconded till his Bail were Attached, and is now committed to the Cuſtody of the Gentleman Uſher of the Black Rod. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Mr. *Redwood* and Mr. *Glaſcock* be and are hereby diſcharged from any further reſtraint, concerning this matter, paying their Fees, and this ſhall be a ſufficient Warrant on that behalf.

Upon Report from the Lords Committees, for receiving informations concerning the late horrid Conſpiracy, that *Jonathan Ball* hath informed their Lordſhips, that Divers Jeſuits and Prieſts lurk privatly in *Nottingham Shire* and other Counties, and that he hath ſome Reaſon to hope he may diſcover and apprehend ſome of them. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. *William Howel* one of His Majeſties Meſſengers, taking to his Aſſiſtance the ſaid *Jonathan Ball*, (who hath already been inſtrumental in ſervice of the ſame Nature) be and is hereby, Authorized and Impowered to ſeize any *Popiſh* Prieſt or Jeſuit, whom they ſhall diſcover either in the County of *Nottingham* or elſe where, and to bring the Perſons ſo ſeized in ſafe Cuſtody to the Bar of this Houſe, and for their ſo doing, this ſhall be a ſufficient Warrant.

The Houſe was Adjourned into a Committee, to conſider of the Means of ſecuring the *Proteſtant* Religion, and having peruſed what formerly had been in conſideration tending to that Matter, the Houſe being Reaſſumed, the Earl of *Bridgewater* Reported, that the Committee upon reading what proceedings had been in this laſt Parliament for the ſecuring of the *Proteſtant* Religion, and conſideration had thereupon, have prepared Orders for Excluding *Papiſts* out of the Innes of Court and Chancery, and other Societies, which was read as followeth.

It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Treaſurers or other Benchers of the ſeveral

veral Innes of Court, and the Principals, Rulers or other Chief Members of the ſeveral Innes of Chancery being in Town, do forthwith bring into this Houſe a perfect Liſt of all Members of the ſaid ſeveral Societies, that are Iriſh Men, and alſo others that are Papiſts *or reputed* Papiſts, *and that the next Term or ſo ſoon as poſſibly they can, they do expell out of their ſeverrl Societies all ſuch Perſons as ſhall not give Teſtimony of their being* Proteſtants, *by going to Church and Receiving the Sacraments, taking all Oathes, and making and ſubſcribing ſuch Teſts and Declarations, as are appointed by any Law for diſtinguiſhing* Proteſtants *from* Papiſts, *and that none ſhall be hereafter Admitted that ſhall not do the ſame.*

Ordered. *By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Governors or principal Members now in Town of the ſeveral Societies of* Doctors Commons, *the Colledge of Phyſitians, and the* Heraulds *Office, do forthwith bring into this Houſe the Names of ſuch Members of their reſpective Societies, as are* Papiſts *or reputed* Papiſts, *and that they do (ſo ſoon as regularly they can) expel out of their ſeveral Societies all ſuch Perſons, as ſhall not give Teſtimony of their being* Proteſtants *by going to Church, Receiving the Sacrament, and by taking ſuch other Oathes and making and ſubſcribing ſuch Teſts and Declarations, as are appointed by any Law for diſtinguiſhing* Proteſtants *from* Papiſts, *and that none ſhall be hereafter Admitted into any of the ſaid Societies, that ſhall not do the ſame.*

Theſe two Orders were agreed to, and according to the deſire of the Committee, it is Ordered, that the Lord Chief Juſtice of the Court of Common Pleas, and Mr. *Baron Thurland* do prepare a Bill to be Offered to this Houſe, for putting the Matter of the Orders made this day concerning the Innes of Court and Chancery, *Doctors Commons*, the Colledge of Phiſitians, and *Heraulds* Office into the form of a Law to be perpetual for the future.

Another part of the Report is, that the Committee are of Opinion, that an humble Addreſs be preſented to His Majſty, that all ſuch Perſons who bring up or ſuffer their Children to be bread up in the *Popiſh* Religion, may by His Majeſties Order be put out of all publick Employments Civil and Military, whereof they are now poſſeſſed, and that for the future, no ſuch Perſon nor any Perſon ſhall be put into, or continued in any publick Employment Civil or Military, who ſhall knowingly Marry a *Papiſt*.

The Houſe Agreed with the Committee herein, and made the Order following.

Ordered. By the Lords Spiritual and Temporal in Parliament

ment Assembled, that the Lords with white Staves do Attend His Majesty, humbly to desire him from this House, that all such Persons who breed or suffered their Children to be bred up in the *Popish* Religion, may by His Majesties Order be put out of all publick Imployments Civil and Military, whereof they are now possessed, and that for the future, no such Persons nor any Person shall be put into or continued in any publick Imployment civil or Military, who shall knowingly *Marry* a Papist.

Die Lunæ 31. *Martii* 1679.

THis day these Lords following took the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration in pursuance of the Act, for the more effectual preserving of the Kings Person and Government, by disabling Papists from Sitting in either House of Parliament.

This day being appointed to consider of the State of *Ireland* in this time of imminent danger, the Lord *Butler* presented (according to the directions of the House) a Paper giving an account thereof, which was read as followeth.

An Extract of some Letters, Orders and Proclamations, which have come from *Ireland*, some to the Councel Board, and some to particular hands, which in part shew what hath been done since the Discovery of the Plot, and how things stand there, in the general referring for full and exact Informations unto such account, as by the Lord Lieutenant and Councel of that Kingdom will doubtless be given, when required thereunto.

That when news of the Discovery of the Plot, and His Majesties Order of the first of October *last came to the Lord Lieutenant, which was about the 7th following, his Lordship was then at* Kill-kenny, *newly returned from a Progress made by him into* Munster, *to view the Forts and Places fit for Fortification, and in particular from seeing the new Fort begun by his Order the* March *preceeding, for the defence of the Harbor of King sale, which work hath since gone on, and upon which is already expended*

ded above the value of Five Thouſand Pound, it being a work of great importance to the ſafety of that Kingdom, and ſecurity of all Ships reſorting to that Harbor.

2. *That according to the ſaid Order, the Lord Lieutenant of* Ireland *did preſently iſſue a Warrant for the ſeizure of* Peter Talbot, *and of his Papers, and he was accordingly ſeized and made cloſe Priſoner in the* Caſtle *of* Dublin, *where he now ſo remains, and the Examinations taken were tranſmitted to His Majeſty in Councel, and from thence to the Houſe of Lords, together with a Paper written in his own hand, being an Account of Treaſon laid to his Charge, by one Serjeant, which Paper 'tis probable he deſired ſhould be found, for no other Paper of Moment could be either found in his Chamber or in his Trunk, he having had time enough to put all out of Reach by the Tidings, it is likely he and many other Papiſts did receive of the Diſcovery of a Plot, by Mr.* Oates *at the Councel Board on Saturday the 28th. of* September, *and the Intelligence ſent away that Night, the L. Lieutenant did alſo according to his Orders, ſecure Mr* Butler *a Son of the Lord* Mountgarret, *but that Lord himſelf being of extream Age and Infirmities, was and ſtill lyes Bed-rid, and Collonel* Richard Talbot *was alſo committed to cloſe and ſafe Cuſtody, as ſoon as ever the Orders and accuſation againſt him was tranſmitted into* Ireland, *and ſo be ſtill remains.*

3. *The Lord Lieutenant alſo haſtned to* Dublin, *and arriving there the 11th of* October, *he preſently called upon the Councel, and they met from day to day to conſider of the publick ſafety, and did iſſue from time to time ſeveral Orders and Proclamations, as followeth.*

14th *October* 1678. A Proclamation ſtrictly requiring all Officers and Soldiers, to repair to their reſpective Quarters, and not to depart without Licence.

16. *October* 1678. A Proclamation requiring all Titular Arch-biſhops, Vicars, General Abbots, and other dignitaries of the Church of *Rome*, and all others Exerciſing Eccleſiaſtical Juriſdiction from the *Pope*, as alſo all Jeſuits, and other Regular Prieſts to depart the Kingdom, by a day limited, and that all Popiſh Societies, Convents, Seminaries, and Popiſh Schools ſhould Diſſolve and Separate themſelves, under the penalties therein mentioned, all Perſons were forbid to harbor them, and all Magiſtrates to enquire, puniſh or certifie the diſobedience therein, and that the Perſons ſo commanded to leave the Kingdom, might not pretend want of convenience for Tranſportation.

Another Proclamation iſſued the 6th of *November* 1678. requiring all owners and Maſters of Ships, bound to parts beyond

beyond the Seas, to ſet up notice in Writing in the moſt publick place's of the time of their departure, and they were required to take on Board all ſuch Eccleſiaſticks, as ſhould deſire to go with them, and the Officers of the Cuſtoms were Commanded to ſtop all Ships that did not give ſuch notice of their departure.

2. *November* 1678. Another Proclamation iſſued, commanding that no Papiſt in the Kingdom ſhould thence forth preſume to Ride with, Carry, Buy, Keep, or uſe any Arms, whatſoever without Licence.

That within 20 days after the date thereof, or 7 days after the Receipt of ſuch Arms, they were required to deliver them up to certain of the moſt noted Proteſtants, for that purpoſe Named in the ſeveral Counties, who were to take ſuch Arms, and give Receipts for what they took.

That the Juſtices of the Peace, and the Officers of the Army ſhould after the time expired, ſearch for and ſeize the Arms of unlicenſed Perſons, or if they found more Arms than were expreſſed with thoſe that had Licence, they were to bind the delinquents over, and all Merchants and other Retailers of Powder, were Required to ſend in an Account of their ſtores if the ſame exceed above one Pound, and of any Powder which they might afterwards Receive.

20. *November* 1678. Another Proclamation iſſued, forbidding Papiſts to come to the Caſtle of *Dublin*, or into any Fort or Citadel of that Kingdom, appointing alſo that the Fairs and even the weekly Markets of certain places, *viz*. *Drogheda*, *Wexford*, *Cork*, *Lunrick*, *Waterford*, *Targ-hall* and *Galloway*, to be thenceforth kept within the Walls of the ſaid Garriſons, and that Papiſts be not ſuffered to continue, or reſide in the ſaid Towns, or in any Towns or Corporations where Garriſons were kept, unleſs they had for the greateſt part of Twelve Moneths paſt inhabited in ſuch Towns. And that no Perſons of the Popiſh Religion any ways Armed, be ſuffered to come into the ſaid Fairs or Markets, and alſo ſtrictly requiring all *Papiſts* to forbear any Unſeaſonale or Nigh meetings, or in great or Unuſual Numbers in any part of the Kingdom, and Commanding all Officers Civil and Military, to be careful to prevent and diſſolve all ſuch Meetings, to Commit the principal Offenders to Priſon, till they find good ſecurity to Anſwer the ſame at the next Seſſions, and to return an Account of their proceedings therein, with the Names of ſuch as Occaſioned or Countenanced the ſame, unto the Council Board.

20. *November* 1678. Another Proclamation iſſued, the

the ſame day promiſing a Reward of Ten pound for every Commiſſioned Officer, Five pound, for every Trooper, and Forty Shillings for every Foot Soldier to ſuch as ſhould diſcover any of them, to have been perverted to the *Romiſh* Religion or heard Maſs, who had formerly taken the Oathes of Allegiance and Supremacy, and the like to the Diſcoverer of any that ſhould afterwards be perverted, beſides, that it was a Rule begun in the preſent Lord Lieutenants firſt Government, after the Kings Reſtauration, and ever ſince continued. That the Muſter Maſter ſhould Check the pay of every Officer and Soldier of the Army, who does not produce a Certificat from the Biſhop or Miniſter of the place, of his having received the Sacrament according to the Church of *England* twice every Year.

2. *December* 1678. That being informed, that ſeveral of the Titular Biſhops and Regular Clergy had not Obeyed the Proclamation of the 16*th*. *October* laſt for their Departure, there iſſued a Circular *Letter* from the Lord Lieutenant and Councel, whereby all Juſtices of the Peace are Commanded to make diligent ſearch after them, to Commit them to Priſons, and to returne the Names of their Receivers and Harbourors, that they may be proceeded againſt according to Law.

12. *December* 1678. Another Proclamation iſſued, highly Reſenting the ſlackneſs of the Juſtices, and in Executing the late Proclamation for ſearching after and ſeizing of Arms, requiring therefore further ſearch, and propoſing a Method for preventing forged Licenſes, and to look upon all that ſhould be Remiſs in their Duties as Contemners of the Kings Authority, and to be proceeded againſt as the Abettors of thoſe who diſturb the Peace.

13. *December* 1678, Another Proclamation iſſued, taking Notice of a *Letter* ſcattered in the Streets of *Dublin*, intimating a Conſpiracy againſt the life of the Lord Lieutenant, promiſing Protection and Two hundred pound Reward unto the Diſcoverer.

And it afterwards appeared, that one *Jephſon* a young Man perverted from his Religion by ſome *Iriſh* Prieſts was a party ingaged in that Deſign, and two *Iriſh* Prieſts his Abettors therein were taken and put into Cuſtody, and their Examinations Tranſmitted to the Councel here, and from thence ſent to the Houſe of Lords.

There were two great Queſtions, and among others under the ſerious Debate of the Lord Lieutenant and Councel, from whence much ill grounded Reflection hath ariſen; The

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one about ſecuring the Principal heads of the moſt conſiderable Claus or Families of the *Iriſh*, who have loſt their Eſtates, ſome ſuppoſing that it might Conduce to the ſafety of the *Engliſh*, if ſuch heads were in Reſtraint, and that their Followers would not then Preſume or Adventure to runn into Rebellion: But upon ſerious Conſideration, it was thought that ſuch a proceeding might rather quicken a Rebellion than prevent it, for the Numerous followers who depended upon their Maſters intereſt, and Authority for the ſupport of themſelves and their Families, being Angred and Affrighted at the ill Uſage of their principals, and being looſened from all Dependances might rather put themſelves upon ſome Unlawful way of living, by turning Tories, then intruſt themſelves to the pleaſure of the Government, and in the Quality of Tories they would be equally Miſchievous, and Eſpecially to the *Engliſh* diſperſed in their Remote Dwellings, as a ſmall Rebellion.

Beſides, this further Reaſon did diſſwade the taking up theſe Chief Men as Hoſtages, for if their Followers were but few they could not do the *Engliſh* much hurt as they are, but if Strong and Numerous, it would be Eaſily in their Power to ſuppreſs ſo many *Engliſh* Gentlemen Living Remote, and ſcattered in the Country as would ſoon Redeem ſuch Hoſtages, and thereby render all the Charge and care of ſuch an Undertaking fruitleſs, and only ſerve to bread ill Blood. So that the Lord Lieutenant hath in ſome Meaſure ſteered a different Courſe, by ſhewing Civility, and giving good words to ſuch of the heads of the *Iriſh*, as come near him, whereby he finds out only what is doing amongſt their Dependents, and hath conceived this Method of Obviating Dangers, more ſafe than either by Rigor to Compel them, and their Followers to live always in Conjunction, and to talk of their Misfortunes, or by Impriſonment of ſo many of the Nobility of a Kingdom without Crimes objected, or Commands from hence, incur the Senſure of Arbitrary proceedings, which are neither ſafe nor fit for him to bear.

Another point that hath been under Conſideration before the Lord Lieutenant and Councel was, a propoſal for draining the Corporations, (Eſpecially thoſe that are Gartiſoned) from the Numbers of *Iriſh* Papiſts, that live amongſt them, in Order to prevent any Surprize or private Conſpiracy, but when it was Reflected on, that notwithſtanding the ſeveral Orders and Proclamations that have from time to time been iſſued, from the Government, for the Repuliſion of *Iriſh* Inhabitants and Servants from the Townes and Garriſons, and

that

that very few in reſpect of the Numbers complained of were Licenced to Return, it was manifeſt that it was the *Engliſh* themſelves, who did in moſt places receive them in again for their own Advantage, not knowing well how to live without them, they wanted Servants, Tenants and Tradesmen, for of ſuch are theſe Numbers in the Town conſtituted, and the *Iriſh* Papiſts ſupplied them with ſuch, and the *Engliſh* did not conceive this ſort of People to be ſo dangerous as beneficial unto them, ſo that the Lord Lieutenant and Councel, do only forbear their expulſion in whole or in part, but for conveniency or gratification to the *Engliſh*, however it is certain, there can never be a true Remedy therein, as to the ſecurity and improvement of that Kingdom, unleſs by a large acceſſion of *Engliſh* and *Proteſtants* there, and until that ſhall happen, all other Trials upon theſe ſorts of *Iriſh* will be in a manner but to lay ſome Townes, and very much of the Lands of the *Proteſtants* quite waſted and untenanted. And yet it ſo falls out, that many on this ſide, not Conſidering the Diſpoſition of the *Iriſh* to the *Engliſh*, nor the difference of the Lawes there as to Capital and Pecuniary Mulcts, from what they are in *England*, do think many things are defective, becauſe they are not there Executed, as they are and may be Executed in this Kingdom, upon theſe and other Reaſons of weight, the two propoſitions aforementioned were thought Impracticable.

But the principal and preſent ſecurity of that Kingdom, conſidering in the Ballancing the Numbers of Iriſh *with a ſuperiority of Strength, and leaving them Naked and the* Engliſh *in Armes, the Lord Lieutenant and Councel did think fit to revive the Commiſſion of Array, ſo that the Militia of that Kingdom hath been Raiſed in all parts, and is now found in a better Condition than ever it was known to be, and to ſupply the Defect of Armes for ſuch Militia, there were not only appointed ſome Merchants as publick undertakers to bring in Armes from abroad, but withal, not wholy to depend upon this performance, the Lord Lieutenant hath procured a ſupply out of His Majeſties Stores here of Powder and Armes to the Value of about Thirteen thouſand, which are now actually landed in* Ireland, *and for payment of which, he himſelf ſtands ingaged to the Office of Ordinance here, until a Parliament do meet in* Ireland *to make proviſion for things of this Importance, but ſurely to have proceeded with any degree of precipitation, while the* Engliſh *were ſo unfurniſhed had not been very prudential.*

As to His Majeſties Forces in that Kingdom, they are well diſciplined and well paid, and it hath pleaſed His Majeſty late-

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ly to ſend over a Reenforcement of about 1200 men, and the Army is ſo diſtributed, as that the Cities (which are the Garriſons of that Kingdom,) are ſecured as well as it is poſſible for the proportion of ſuch a *Militia*, and ſuch an Army to make them, there is all the diſcountenance given to Maſs Houſes in all places, which the Laws of that Kingdom will bear, nor is there Licence for Arms given to any but ſuch as need them, and for no more than is neceſſary for their ſecurity againſt Tories, in their remote and ſcattered habitations, and for whoſe Loyalty and peaceable behavior the Lord Lieutenant is firſt ſufficiently certified by ſome Proteſtants of Note.

The Forts are in as good a Condition as the Stores and the Revenue of that Kingdom will allow, and perhaps ſomewhat better, but it is manifeſt much more is needful in every kind in caſe of Forraign Attempts, and therefore ſeeing the charge of the Government, and the incomb of the Revenue are ſo exactly Ballanced by a ſettled eſtabliſhment, that it is not in the power of the L. Lieutenant to alter the ſame, and that no Money can be raiſed from the Subject, but by Act of Parliament, therefore the Lord Lieutenant hath been long endeavoring to have a Parliament called, and to that end, ſeveral Bills were tranſmitted the laſt Summer from the Lord Lieutenant and Councel, which now remain at the Councel Board here, together with a large Repreſentation of the State of Accounts, depending with the Lord Rannelaugh *and his Partners, who were late undertakers for the Revenue of that Kingdom, and until their ſhall be ſeizure (which ſince the diſcovery of this Horrid Plot there ſcarce hath been,) to ſend back theſe things with the mature conſideration they deſerve, there is no viſible means left for the raiſing and augmenting the Publick Revenue, to ſuch a proportion, as may put the Kingdom in a ſufficient poſture of Defence, as the Army, Fortifications, and Stores in Caſe of any powerful Invaſion.*

But for the preſent, all things are there in full peace and quietneſs, and for further account of the preſent State of this Kingdom, and of what hath been done, or further reaſon of the particular here mentioned, or of any other thing which may have been left undone, there is no doubt but full ſatisfaction by the Lord Lieutenant and Councel, when ſuch a particular enquiry and demands are made, as ſhall be thought convenient.

The Houſe was Adjourned into a Committee, to conſider of the ſame, and after debate the Houſe was Reſumed, and the Earl of *Bridgewater* Reported, that the Committee upon Conſideration of the Paper concerning the State of *Ireland*,

are of Opinion that a Bill be prepared, whereby all the Inhabitants of *Dublin* and other parts, and Forts in *Ireland* (the Ports and Forts to be named in the Bill,) ſhall be enjoyned to take the Oathes of Allegiance and Supremacy and Teſts, for diſtinguiſhing Proteſtants from Papiſts.

That in the Bill, Proviſion be made that the Members of both Houſes of Parliament there, ſhall take the ſaid Oathes and Teſts.

That Collonel *Fitz Patrick* may by His Majeſties Order be Commanded to repair to his own Houſe in *Ireland*, and not to come to *Dublin* or any other place (except his own Houſe) witbin Twenty Miles of ſuch places, as the Lord Lieutenant of *Ireland* ſhall reſide at, till further Order.

The Houſe agreed with the Opinion of the Committee, and made theſe Orders following.

Upon conſideration had this day of the preſent condition of the Kingdom of Ireland, *in this time of Imminent danger. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Chief Juſtice of the Court of* Common Pleas, *aſſiſted by His Majeſties Attorney, be and are hereby appointed to prepare a Bill to be Offered to this Houſe, whereby all the Inhabitants of* Dublin, *and other Parts and Forts in* Ireland *(to be enumerated in the Bill) ſhall be enjoyned to take the Oathes of Allegiance and Supremacy and make and Subſcribe ſuch Teſts and Declarations, as are intended for diſtinguiſhing* Proteſtants *from* Papiſts; *and that in the ſaid Bill it be provided, that the Members of both Houſes of Parliament in* Ireland *ſhall take the ſaid Oathes, and make and Subſcribe the ſaid Teſts and Declarations.*

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord *Privy Seal*, the Earl of *Eſſex*, and the Earl of *Burlington* do attend His Majeſty, humbly to deſire him from this Houſe, that *Collonel Fitz Patrick* now in *Ireland* may by His Majeſties Order be commanded forthwith to repair to his own Houſe there, and not to come within twenty Miles of *Dublin*, or any other place (except his own Houſe) where the Lord Lieutenant of *Ireland* ſhall reſide at any time, till further Order.

The Earl of *Clarendon* Reported, that whereas the Lords Committees for examining Matters relating to the horrid conſpiracy, were appointed to Methodize the *Papers* now before them in Order to the ſending them to the Houſe of Commons, the Lords do not hold it ſo proper for them to do, in Regard they are to be Judges, whereupon it is Ordered, that all ſuch *Papers* as have been by His Majeſties directions ſent into this Houſe relating to the late horrid Conſpiracy, as alſo

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all such Examinations and *Papers*, as have been taken by this House, or any Committee of this House tending to the Discovery of the said Conspiracy, shall be forthwith communicated to the Committee of the House of Commons, who are appointed to prepare the Evidences against the Trials of the Lords in the *Tower*.

The Earl of *Clarendon* Reported, from the Lords Committees for Examining the Matters relating to the Discovery of the late horrid Conspiracy, that *Titus Oates* having represented to their Lordships the Straightness of his Allowance in this Exigent of time, wherein he hath occasion of disbursing several summs of Money for furtherance of the said Discovery, the opinion of the Committee is, that an Address be presented to His Majesty from this House, that His Majesty will be pleased to give Order for the speedy payment, of One hundred pounds to the said *Titus Oates* out of His Majesties Treasury in the Exchequer, for the purpose aforesaid.

The question being put whether to Agree with the Opion of the Committee herein, it is resolved in the Affirmative.

Upon Report made from the Lords Committees, for Examining Matters relating to the Discovery of the late horrid Conspiracy, that *Titus Oates* having represented to their Lordships the Straitness of his Allowance in this Exigent of time, wherein he hath occasion of disbursing several summs of Money, for furtherance of the said Discovery. It is Resolved by the Lords Spiritual and Temporal in Parliament Assembled, that the Lords with white Staves do Attend His Majesty, humbly to desire him from this House, that His Majesty will be Graciously pleased to give Order for the speedy payment of the Sum of One hundred pounds to the said *Titus Oates* out of His Majesties Treasury in the Exchequer for the purpose aforesaid.

Upon Report of the Earl of *Clarendon* from the Lords Committees for Examinations, that those Persons or any three of them, who are appointed to search the Truncks at *Weld* House shall Execute that Order.

The Lord Chancellour acquainted the House, that in Obedience to their directions, the Lord Chief Justice of the Court of Common Pleas and Mr. Attorney General have prepared a Bill, for clearing the Cities of *London* and *Westminster* from *Popish* Inhabitants, which Bill the House have Received.

Hodie prima vice lecta est Billa. an Act Freeing the City of *London* and Parts adjacent from *Popish* Inhabitants.

Ordered, that this Bill be read the ſecond time to morrow Morning.

Die Martis 1. *Aprilis* 1679.

THis day theſe Lords following took the Oathes of Allegiance and Supremacy, and made and Subſcribed the Declaration in purſuance of the Act, for the more effectual preſerving the Kings Perſon and Government, by diſabling *Papiſts* from Sitting in either Houſe of Parliament.

John Earl of *Briſtol*.
Charles Earl of *Nottingham*.

Hodie prima vice lecta eſt Billa, an Act requiring all *Eccleſiaſtical* Perſons to make and Subſcribe the Declaration therein contained.

A Meſſage was brought from the Houſe of Commons by Sir *Robert Peyton* and others, who ſaid that the Houſe of Commons have paſſed a Bill, intituled an Act for the Attainder of *Thomas* Earl of *Danby* of high Treaſon, to which they deſire their Lordſhips concurrence.

This day *Benedict Proſſer* was brought to the Bar, and *Miles Prance* being called in, charged *Proſſer* that he came to his Shop, and ſaid that he was undone, and that he did intend to Kill the Lord *Shaftesbury*, for he with other of the Lords did intend to undo the Lord *Arundel*, who was his very good Cuſtomer, and the ſaid *Proſſer* alſo told him at *Bradleys* in *Holborn*, that he was to be an Enſign under the Lord *Arundel*.

Miles Prance further ſaid, that he and Mr. *Meſſenger*, and *Proſſer*, and *Mattiſon* were at *Bradleys* in *Holborn* about Five weeks before *Staley* was taken, and *Meſſenger* much complaining of the Severity of the Lawes that were againſt the *Catholicks*, and much fearing they would be put in Execution againſt them by ſome that were not Lovers of the *Catholicks*, and particularly the Lord *Shaftesbury*, who did moſt Buſie himſelf about them, therefore he ſaid there muſt be a ſpeedy courſe taken to prevent it, and that after their Meeting at the *Croſs keys* by *Staleys*, he met with *Proſſer* at *Bradleys*, where he

he told him that *Meſſenger* was the Perſon that promoted the Killing of the Lord *Shaftesbury*.

Hereupon the Houſe made the Order following

Wheras Benedict Proſſer *was this day brought to the Bar by the Gentleman Uſher of the Black Rod attending this Houſe, and was there charged upon Oath with matters Amounting to high Treaſon. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid* Benedict Proſſer *be forthwith carried to the ſaid Priſon of* Newgate *by the ſaid Gentleman Uſher or his Deputy or Deputies, there to remain in ſafe Cuſtody till he ſhall be diſcharged by due courſe of Law, and that the Keeper of* Newgate *take care, that no Perſon be Amitted to the ſaid* Benedict Proſſer (*except his wife*) *till further Order, and this ſhall be a ſufficient Warrant on that behalf.*

Hodie prima vice lecta eſt Billa, an Act for the Attainder of *Thomas* Earl of *Danby* of high Treaſon.

The Earl of *Shaftesbury* Reported from the Committee of Priviledges, that upon the caſe of the Lady *Abergavennys* ſervants referred to their Lordſhips, they have perused the preſident of 28. *June* 1625 In the caſe of *Farrington* and *Andrewes* upon a ſuit commenced upon the Statute againſt Recuſancy, upon conſideration had thereof, the Committee are of Opinion, that there ought not to be any Priviledge allowed to any Peers or Peereſſes ſervants in the caſe of Recuſancy.

Ordered, that this confirms this Report, and that the Law accordingly proceed, notwithſtanding the priviledge claimed in this caſe.

The Houſe was put into a Committee, to conſider further of the preſent State of *Ireland* in this time of Imminent danger, and the ſecuring the *Proteſtant* intereſt there.

The Houſe being reſumed, the Earl of *Bridgewater* Reported, that it is the Opinion of the Committee of the whole Houſe.

That an Addreſs be preſented to His Majeſty, that he would be pleaſed to give Order to the Lord Lieutenant of *Ireland*, to put all the Lawes in Execution Strictly and Vigorouſly, (that are now in Force) for the diſarming of *Papiſts* there, and that the Lord Lieutenant take the beſt courſe he can to Arm all the Proteſtants there, for the Defence of their Religion and the Government of that Kingdom.

And that His Majeſty will be pleaſed to give order, that a ſufficient Quantity of Arms and Gun-powder may be ſent o-

ver to be distributed to such places in *Ireland*, as the Lord Lieutenant shall think fit, which are to be sold to the Protestants only at such Rates as they come to His Majesties hands.

Also, that His Majesty will be pleased to give Order to the L. Lieutenant of Ireland, *for the enquiring after and prosecuting such Bonds by Suits as have been entred into in* Ireland, *for the educating of Children in the Protestant Religion, and are forfeited by the said Childrens being Educated Papists, and that the forfeitures may by His Majesties Order be disposed in such manner to charitable uses, as that they may be effectually Recovered.*

Also, that His Majesty be humbly moved from this House, that when he sends any Bills into *Ireland*, some provision may be made in one of them, that Papists may not be of Juries there.

Which Report the House Agreed to.

Hodie secunda vice lecta est Billa, An Act for freeing the City of *London* and parts Adjacent from Popish Inhabitants.

Ordered, that the consideration of this Bill is Committed to these Lords following *viz*.

Duke *Cumberland*.
Lord Privy Seal *&c.*

Lord Chief Justice of the Common Pleas to Assist their Lordships

Their Lordships or any Five of them to meet to Morrow at Nine of the Clock in the Forenoon in the Prince's Lodgings, and to Adjourn as they please.

Die Mercurii 2. *April.* 1679.

After a long debate, whether this Bill shall be Committed, it is Ordered, that the said Bill is Committed to the Committee of the whole House with this direction, that

that the Attainder be left out of the Bill, and that the House be put into a Committee upon the said Bill to Morrow Morning.

Die Jovis 3. *April.* 1679.

THis day these Lords Following took the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration in pursuance of the Act for the more effectual preserving of the Kings Person and Government by disabling Papists from Sitting in either House of Parliament.

Christopher Lord *Hatton.*
Charles Lord *Delaware.*
Robert Earl of *Lyndsey.*

The Lord Viscount *Newport* reported, that the Lords with White Staves have attended His Majesty with the desire of this House, that He would be pleased to give order for the speedy Payment of one Hundred Pounds to *Titus Oates* out of His Majesties Treasury, and His Majesties answer is that he had given Order for it.

The L. P. Seal Reported, that himself the Earl of *Essex* and the Earl of *Burlington* had Attended His Majesty from this House, and presented their humble Desire, that Collonel *Fitz Patrick* now in *Ireland* may by His Majesties Order be Commanded to repair forthwith to his own House there, and not come within Twenty Miles of *Dublin*, or of any other place (except his own House) where the Lord Lieutenant of *Ireland* shall at any time Reside til further Order, & His Majesty is pleased to give this Answer, that he had given Order therein.

The L. P. Seal acquainted the House, that the Society of *Lincolns-Inn* have prepared a List of the Names of such *Papists* as are of their Society, and have desired his Lordship to present the same to this House.

The L. Vis. Newport *Reported, that the Lords with white Staves have Attended His Majesty with the humbly desire of this House, that all such Persons who breed or suffer their Children to be*

bred up in the Popiſh Religion, may by His Majſties Order be put out of all publick Imployments Civil and Military, whereof they are now poſſeſſed; And that for the future no ſuch Perſons, nor any perſon ſhall be put into or continued in any publick Employments Civil or Military, who ſhall knowingly marry a Papiſt, and His Majeſty is pleaſed to grant it.

The Houſe was put into a Committee, to conſider of the Bill for the Attainder of *Thomas* Earl of *Danby* of high Treaſon, and after Debate thereof, the Houſe was reſumed, the Earl of *Bridgewater* Reported, that the Committee of the Houſe have been in conſideration of the Bill for the Attainder of *Thomas* Earl of *Danby* of high Treaſon, and have made ſome Amendments and Alterations therein, which are Offered to the conſideration of the Houſe, and being read twice, it is Ordered, that the Houſe agrees with the Committee in theſe Amendments.

Upon Report made from the Lords Committees for Examining matters relating to the late horrid Conſpiracy, that upon the Petition of *Thomas Oakely* a Priſoner in the *Kings-Bench*, by Order of this Houſe of the *4th.* of *December* laſt, for refuſing to take the Oath of Allegiance, their Lordſhips have examined his caſe, and find that he is a very Aged and Illiterate man, and in great Miſery through poverty, and is no *Popiſh* Prieſt, and that he is ready and willing to take the ſaid Oath, which being offered to the conſideration of this Houſe, it is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Thomas Oakely* be and is hereby diſcharged from his preſent Impriſonment for the cauſe aforeſaid, and this ſhall be a ſufficient Warrant on that behalf.

Die Veneris 4. Aprilis 1679.

HOdie tertia vice lecta eſt Billa, an Act for the Attainder of *Thomas* Earl of *Danby* of high Treaſon, in caſe he ſhall returne into or be found in any of the Kings Dominions after the firſt Day of *May* 1679.

The queſtion being put, whether the Bill with the Amendments ſhall paſs, it was reſolved in the Affirmative.

Diſſentientibus

Diſſentientibus

Berkeley Northampton Lawarr
Aylisbury R. Arundel Byron
Lyndſey Hatton

Ordered, that this Bill with the Amendments be communicated to the Houſe of Commons, at a conference for their Concurrence thereunto.

The Houſe appointed the Lord Privy Seal, the Earl of *Eſſex*, *Viſcount Faulconbergh*, and the Lord *Culpepper* to conſider what is fit to be ſaid to the Houſe of Commons at this conference, the Lords preſently withdrew, and being returned, the Lord Privy Seal Reported in writing, what they thought fit to be ſaid to the Houſe of Commons, which was read as followeth.

The Lords Houſe have choſen the way of delivery of this Bill at a Conference, rather then by Meſſage. The better to preſerve a good underſtanding between the two Houſes, which they ſhall always endeavor, and to prevent Debates and Controverſies as much as may be, their Lordſhips do obſerve that the greateſt Affaires of Parliament are at a ſtand in the time of the greateſt Difficulties and Dangers, both at home and abroad, that this Kingdom hath ever been known to ly under.

They obſerve alſo and none of us but muſt with comfort remember, that His Majeſty hath ever ſet himſelf in a way of Clemency and Mercy to all his Subjects, ſo that his Reign hath been to this time Merciful and Compaſſionate, and their Lordſhips were unwilling the firſt interruption thereof, ſhould be by the two Houſes preſſing His Majeſty to the utmoſt ſeverity in this caſe, that hath interrupted greater Affaires ſo long, and therefore have paſſed your Bill with ſome Amendments, which they hope and deſire the Houſe of Commons Concurrence in.

The Houſe approved of this *Paper*.

A Meſſage was ſent to the Houſe of Commons by Sir *Miles Cooke* and Sir *John Franklin* to deſire a preſent Conference in the painted Chamber, touching the Bill concerning *Thomas* Earl of *Danby*.

The Lord Privy Seal, the Earl of *Huntington*, Earl of *Bridgewater*, Earl of *Eſſex*, Earl of *Shaftesbury*, *Viſcount Faulconbergh*, *Viſcount Hallifax*, and Lord *Culpepper* are appointed to be Managers of the Conference.

The

The Meſſengers return with this Anſwer, that the Houſe of Commons will give a conference, as is deſired.

The Houſe was Adjourned during pleaſure, and the Lords went to the conference, which being ended, the Houſe was reſumed, and the Lord Privy Seal Reported, that the Managers had delivered at the conference what they were Directed.

Upon Report made from the Lords Committees, for the Bill for freeing the City of *London* and parts Adjacent from *Papiſts*, that their Lordſhips Aſſiſted by the Lord Chief Juſtice of the Court of *Common Pleas*, find it convenient, that the proviſions to be made by a Bill for clearing the Inns of Court and Chancery, the *Doctors Commons*, the Colledge of Phyſitians and *Heraulds* Office, from *Papiſts* may be Added to and made part of this Bill, it is Ordered, that the ſaid Bill now under conſideration, be fitted by the Lords Committees to the purpoſes aforeſaid, and ſo Reported to the Houſe.

Upon Information given to this Houſe, that Sir *Phillip Mathews* can make diſcovery of ſome *Popiſh* Prieſts; It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Phillip Mathews* be and is hereby Authorized and Impoured to ſearch for, and apprehend any *Popiſh* Prieſt, or any Perſon ſuſpected to be Guilty of high Treaſon, in ſuch places as he ſhall have cauſe to ſuſpect any ſuch Perſon or Perſons to be ſheltred in, and for his ſo doing, this ſhall be a ſufficient Warrant.

Die Sabbati 5. Aprilis 1679.

HOdie ſecunda vice lecta eſt *Billa*, an Act requiring all *Eccleſiaſtical* Perſons to make and ſubſcribe the Declaration therein mentioned,

The Earl of *Clarendon* Reported, that this Morning Mr. *Oates* made a complaint to the Lords Committees for Examinations of a Book lately Printed, pretending to be the Examinations taken by Sir *Edmond Bury Godfrey*, wherein Mr. *Oates* conceives himſelf much injured, it being diſperſed abroad.

The Lord Biſhop of *Ely* complained to this Houſe, of an Information

Information made this Morning before the Lords Committees for Examinations by one Mr. *Sidway*, which was very Derogatory to himſelf and ſome of the Lords the Biſhops, and therefore praying the Houſe would here the Buſineſs and do them Juſtice upon the ſaid *Sidway*, it is thereupon Ordered, that this Houſe will take this Buſineſs out of the hands of the Committee for Examinations, and that the ſaid Mr. *Sidway* ſhall have Notice to Attend this Houſe on *Monday* Morning next, at which time this Houſe will examine this Buſineſs.

Upon this occaſion the Houſe made the following Order.

It is this day Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that all Informations offered to the Lords Committees, for Examining matters relating to the Diſcovery of the late Horrid Conſpiracy, wherein, if any Member of this Houſe ſhall be concerned, be immediatly brought into the Houſe by the ſaid Lords Committees at the next Sitting of this Houſe, and that the Witneſſes or Party Informing be likewiſe required to Attend the Houſe at the ſame time.

The Houſe was put into a Committee to conſider further of the ſecurity of the Kingdom of *Ireland*, the Houſe being reſumed, the Earl of *Bridgewater* Reported, that the Committee are of Opinion, that proviſion be made in the Bill to be prepared relating to *Ireland*, for remedying the practicing of Lawyers that are Papiſts, and that no Perſon be Clerk of the Peace or Under Sheriff there without taking the Oathes of Allegiance and Supremacy, and ſubſcribing the Declaration.

Alſo, that it be added to the Addreſs agreed to the other day, that His Majeſty will be pleaſed to give Order, that an account may be tranſmitted hither of the Names of the Guardians, and the ſecurity entred into for the Education of Children in *Ireland* in the Proteſtant Religion, with the Names of the ſaid Children, expreſſing reſpectively which have been Educated Proteſtants, and which Papiſts.

Alſo, that His Majeſty will be pleaſed to give Order to the Lord Lieutenant of *Ireland*, to put the Laws in Execution to the utmoſt againſt all Jeſuits, and ſuch other Popiſh Prieſts as Exerciſe Eccleſiaſtical Juriſdiction after the Romiſh manner in *Ireland*.

Which Report being made and read, the Houſe agreed to.

Die

Die Lunæ 7. Aprilis 1679.

A Meſſage was brought from the Houſe of Commons by the Lord *Ruſſel* and others, who was Commanded by the Houſe of Commons to bring Articles of Impeachment of High Treaſon, and other High Crimes and Offences againſt *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis* now Priſoners in the *Tower* of *London*.

The ſaid Articles were read as followeth.

ARTICLES of Impeachment of High Treaſon, and other High Crimes and Offences againſt *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis* now Priſoners in the *Tower* of *London*.

That, for many Years now laſt paſt, there hath been contrived and carryed on by Papiſts, a Traiterous and Execrable Conſpiracy and Plot within this Kingdom of England *and other Places, to Alter, Change, and Subvert the Antient Government and Laws of this Kingdom and Nation, and ſuppreſs the true Proteſtant Religion therein Eſtabliſhed, and to extirpate the true Profeſſors thereof, which ſaid Plot and Conſpiracy, was Contrived and Carryed on in divers Places, and by ſeveral ways and means, and by a great number of Perſons of ſeveral qualities and degrees who acted therein, and intended thereby to Execute the aforeſaid Traiterous and Wicked Deſigns and Purpoſes, that the ſaid* William *Earl of* Powis, William *Viſcount* Stafford, Henry *Lord* Arundel *of* Warder, William *Lord* Petre, *and* John *Lord* Bellaſis, *together with* Phillip Howard *commonly called Cardinal of* Norfolk, Thomas White *alias* Whitebread, *commonly called Provincial of the Jeſuits of* England, Richard Strange *lately called Provincial of the Jeſuits of* England, Vincent *commonly called Provincial of the Dominicans in* England, James Corker *commonly called Preſident of the Benedictines*, *Sir* John Warner *alias* Clare *Barronet*, William Hartcourt, John Keines, Nicholas Blundel, Poole, Edward Mico, Thomas Beddingfield *alias* Bennefield, Baſil Longworth,

worth, Charles Peters, Richard Peters, John Conyers, *Sir* George Wakeman, Thomas Fenwick, Dominick Kelley, Fitz Gerald, Euers, *Sir* Thomas Preſton, William Lovel *Jeſuits*, *Lord* Baltamore, John Carrel, John Townly, Richard Langhorn, William Fogarty, Thomas Penny, Mathew Medborn, Edward Colemam, William Ireland, John Grove, Thomas Pickering, John Smith, *and divers other Jeſuits, Prieſts, Fryers, and other Perſons, as falſe Traitors to his Majeſty and this Kingdom, within the time aforeſaid, have Traiterouſly Conſulted, Contrived, and Acted to and for the accompliſhing the ſaid wicked, pernicious and traiterous Deſignes. And for that end did moſt wickedly, and traiterouſly Agree, conſpire, and reſolve to impriſon, depoſe, and murther His Sacred Majeſty, and to deprive him of His Royal State, Crown and Dignity, and by malitious and adviſed ſpeaking, writing, and otherwiſe declaring ſuch their purpoſes & intentions, and alſo to ſubject this Kingdom and Nation to the Pope, and his tyranical Government, and to ſeize and ſhare amongſt themſelves, the Eſtates and Inheritances of His Majeſties Proteſtant Subjects, and to Erect and Reſtore Abbies, Monaſteries, and other Convents and ocieties, which have been long ſince by the Laws of this Kingdom ſuppreſſed for their Superſtition and Idolatry, and to deliver up and reſtore to them, the Lands and Poſſeſſions now veſted in His Majeſty, and his Subjects by the Laws and ſtatutes of this Realm. And alſo to Found and Erect new Monaſteries and Convents, and to remove and deprive all Proteſtant Subjects, and other Eccleſiaſtical Perſons from their Offices, Benefices, and Preferments, and by this means to deſtroy His Majeſties Perſon, Extirpate the Proteſtant Religion, Overthrow the Rights, Liberties and Properties of all His Majeſties good Subjects, ſubvert the Lawful Government of this Kingdom, and Subject the ſame to the Tyranny of the See of* Rome, *that the ſaid Conſpirators, and their Complices, Confederates, Traiterouſly had and held ſeveral Aſſemblies, meetings and Conſultations, wherein it was Contrived and Deſigned among them, what means ſhould be uſed, and what Perſons and Inſtruments ſhould be imployed to Murther His Majeſty, and did then and there reſolve to effect it, by Poyſoning, Shooting, Stabbing or ſome ſuch like ways and means, and offered rewards and promiſes of Advantage, to ſeveral Perſons to Execute the ſame; and Hired and Imployed ſeveral Wicked Perſons to go to Windſor, and other places where His Majeſty did reſide, to Murther and Deſtroy His Majeſty, which ſaid Perſons, or ſome of them accepted ſuch Rewards, and undertook the Perpetrating thereof.*

and

and did actually go to the ſaid places for that End and Purpoſe.

That the Conſpirators the Better to accompliſh their Traiterous Deſignes, have conſulted to raiſe and have procured and raiſed Men, Money, Horſes, Arms and Amunition, and alſo have made application to, and treated and coreſponded with the Pope, his Cardinals, Nuncioes, Agents, and with other Forreign Miniſters and Perſons, to raiſe and obtain ſupplies of Men, Money, Arms and Amunition, therewith to make, Levy, and raiſe War, Rebellion and Tumults within this Kingdom, and to invade the ſame with Forreign Forces, and to ſurprize, ſeize and deſtroy His Majeſties Navy, Forts, Magazeen, and places of ſtrength within this Kingdom, whereupon the Calamities of War, Murthers of Innocent ſubjects, Men, Women and Children, Burnings, Rapines, Deva ſtations, and other dreadful Miſeries and Miſchiefs muſt inevitably have enſued, to the Ruin and Deſtruction of this Nation. And the ſaid Conſpirators have procured, and accepted and delivered out, ſeveral Inſtruments, Commiſſions, and Powers made or granted by, or under the Pope, or other unlawful and uſurped Authority, to raiſe and diſpoſe of men, money, arms, and other things neceſſary for their wicked and traiterous Deſignes, and namely a commiſſion for the ſaid Henry Lord Arundel of Warder to be Lord Chancellour of England, another commiſſion to the ſaid William Earl of Powis to be Lord Treaſurer of England, another commiſſion to the ſaid John Lord Bellaſis to be General of the Army to be raiſed, another commiſſion to the ſaid William Lord Petre to be Lieutenant General of the ſaid Army, and a power for the ſaid Viſcount Stafford to be Paymaſter of the Army, that in order to incourage themſelves in proſecuting their ſaid wicked Plots, Conſpiracies, and Treaſons, and to hide and to hinder the diſcovery of the ſame, and to ſecure themſelves from Juſtice and Puniſhment, the Conſpirators aforeſaid, their complices and confederates, have uſed many wicked and diabolical Practices, (viz.) they did cauſe their Prieſts to Adminiſter to the ſaid Conſpirators an Oath of Secrecy, together with their Sacraments: As alſo did cauſe their ſaid Prieſts, upon confeſſions to give abſolutions, upon condition that they ſhould conceal the ſaid Conſpiracy. And when about the Month of September laſt, Sir Edmond-Bury Godfrey a Juſtice of Peace, had according to the Duty of his Oath and Office, taken ſeveral Examinations and Informations concerning the ſaid Conſpiracy and Plot, the ſaid Conſpirators, or ſome of them by Advice, Aſſent, Councel and Inſtigation of the reſt, did incite and procure divers Perſons to ly in wait, and purſue the ſaid Sir Edmond-Bury Godfrey diverſs ways, with intent to Murther him,

which

which at laſt was perpetrated and effected by them. For which ſaid horrid Crimes and Offences, Robert Greene, Henry Berry, *and* Lawrence Hill, *hath ſince been Attainted, and* Dominick Kelly, and Gerald *and others are fled for the ſame. After which Murther, and before the Body was found, or the Murther known to any, but the Complices therein, the ſaid Perſons falſely gave out, that he was alive, and privatly Married, and after the Body found, diſperſt a falſe and malitious Report, that he had Murthered himſelf, which ſaid Murther was committed with Deſign, to ſtifle and ſuppreſs the Evidence he had taken, and had knowledge of, and diſcourage and deter Magiſtrates and Others, from Acting in further diſcovery of the ſaid Conſpiracy and Plot. for which end alſo, the ſaid Sir* Edmond-Bury Godfrey, *whilſt he was alive, was by them their Complices and Favorers threatned, and diſcouraged in his proceedings about the ſame; And of their further Malice, they have wickedly contrived by many falſe ſuggeſtions to lay the imputation of the aforeſaid horrid and deteſtible Crimes, upon the* Proteſtants, *that ſo thereby they may eſcape the puniſhments they have juſtly deſerved, and expoſe the* Proteſtants *to great ſcandal, and ſubject them to perſecution and oppreſſion in all Kingdomes and Countries, where the* Romiſh *Religion is received and profeſſed. All which Treaſons, Crimes and Offences above mentioned, were contrived, committed, perpetrated, acted and done, by the ſaid* William *Earl of* Powis, William Viſcount Staffard, William *Lord* Petre, Henry *Lord* Arundel of Warder, *and* John *Lord* Bellaſis, *& other the Conſpirators aforeſaid, againſt our Sovereign Lord the King His Crown and Dignity, and againſt the Lawes and Statutes of this Kingdom, of all which Treaſons, Crimes and Offences, the Knights, Citizens and Burgeſſes in Parliament Aſſembled, do in the name of themſelves, and of all the Commons of* England, *impeach the ſaid* William *Earl of* Powis, William *Viſcount* Stafford, William *Lord* Petre, Henry *Lord* Arundel *of* Warder, *and* John *Lord* Bellaſis, *and every of them. And that the ſaid Commons by Proteſtation, ſaving to themſelves the liberty of Exhibiting at any time hereafter, any other accuſations, or Impeachments againſt the ſaid* William *Earl of* Powis, William *Viſcount* Staffard, William *Lord* Petre, Henry *Lord* Arundel of Warder, *and* John *Lord* Bellaſis, *and every of them, and alſo of replying to the Anſwers which they and every of them ſhall make to the Premiſſes, or any of them, or to any other accuſation or Impeachment, which ſhall be by them exhibited, as the cauſe according to the courſe and proceedings of Parliament ſhall require, do pray that the ſaid* William *Earl of* Powis, William Viſcount Stafford, William *Lord* Petre, Henry *Lord* Arundel

rundel of Warder, *and* John *Lord* Bellaſis, *and every of them be put to anſwer all, and every the premiſes, and that ſuch proceedings, examinations, trials and judgements, may be upon them and every of them had and uſed, as ſhall be agreable to Law and Juſtice and Courſe of Parliament.*

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords Committees for priviledges do Meet this Afternoon, to Conſider of the Method and Progreſs of the Proceedings, to be had upon the Trials of the Lords now Priſoners in the *Tower*, upon the Impeachment brought up againſt them from the Houſe of Commons, and that the Lord Chief Juſtice of the Court of Common Pleas, Mr. *Baron Thurland*, and His Majeſties Attorney General, do attend their Lordſhips this Afternoon in the Houſe of Peers.

This day *John Sidway* brought an Information upon Oath, againſt the Lord Biſhop of *Ely* and other Biſhops, and upon debate thereof, the Queſtion being put, whether *John Sidway* ſhall ſtand committed, it was reſolved in the Affirmative.

Diſſentientibus

Derby, Shaftesbury, Clare, Herbert, Halliſax, Delamar, Gray, Lord *Eure, Howard.*

Hereupon the Houſe made this enſuing Order (*viz.*)

Whereas, *John Sidway* hath brought into this Houſe an Information againſt the Biſhop of *Ely* and other Biſhops, which upon the Examination of the ſaid *John Sidway* at the Bar appeared to be Frivolous and Untrue. It is thereupon reſolved, that the ſaid *John Sidway* ſhall ſtand Committed to the Priſon of the *Gate houſe* at *Weſtminſter*, and that the Gentleman Uſher of the Black Rod Attending this Houſe or his Deputy or Deputies ſhall take care to convey him thither, and for his or their ſo doing this ſhall be a ſufficient Warrant, as alſo to the Keeper of the ſaid Priſon his Deputy and Deputies and every of them, for detaining the ſaid *John Sidway* in ſafe Cuſtody, till the pleaſure of this Houſe be further ſignified.

Ordered, that the buſineſs concerning *John Sidway* be further conſidered on *Wedneſday* next.

Upon Report made from the Lords Committees, for Examining

mining Matters relating to the Diſcovery of the late horrid Conſpiracy, of an account given their Lordſhips by Sir *Timothy Baldwin*, Sir *Robert Southwel*, *Edmond Warcup* Eſquire, and *William Blathwaite* Eſquire, of their ſearching the Truncks and Cheſts at Mr. *Welds* Houſe, that there is nothing in the *Papers* in them relating to the ſaid Conſpiracy, it is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Edmond Warcup* be and is hereby Authorized, and appointed forthwith to diſcharge the Guard of a Conſtable and Watchman by him placed upon the ſaid Cheſts and Truncks, and for ſo doing this ſhall be your ſufficient Warrant.

Upon Report made from the Lords Committees, for Examining Matters relating to the Diſcovery of the late horrid Conſpiracy, that their Lordſhips have examined Mr. *Baſſet*, who printed the Narrative complained of by *Titus Oates*, to be publiſhed imperfectly and to his Injury, and find that Mr. *Baſſet* was not the cauſe of but is ſorry for the Miſtake, and hath deliverd the Original by which the ſaid Bookes was printed to the Commitee, and that he is willing to give the ſaid *Titus Oates* all reaſonable ſatisfaction. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Mr. *Baſſet* be diſcharged from any further trouble concerning this Matter, and that *Edmond Warcup* Eſquire into whoſe Cuſtody ſuch of the ſaid Bookes as being unſould and ſeized were put, do deliver or cauſe the ſaid Bookes to be forthwith delivered to the ſaid *Titus Oates*.

Upon Information given to this Houſe, that *Robert Hix* of *Woodſtock* hath uttered Contemptuous words reflecting upon the Parliament, it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at arms attending this Houſe or his Deputy or Deputies, ſhall forthwith attach the Body of the ſaid *Robert Hix*, and bring him in ſafe Cuſtody to the Bar of this Houſe to anſwer for the ſaid words, and this ſhall be a ſufficient Warrant on that behalf.

Die Martis 8. *Aprilis* 1679.

THe E. of *Shaftesbury* Reported from the Lords Committees for priviledges, to whom was referred to conſider of

the Method and Progreſs of the proceedings to be had upon the Trials of the Lords now Priſoners in the *Tower*, upon the Impeachments brought up againſt them from the Houſe of Commons, that their Lordſhips are of Opinion, that the Lords now Priſoners in the *Tower* ought to be brought to the Bar together and kneel there, and then ſtand up and hear the Articles of the charge againſt them read.

That the ſaid Lords may have Councel to plead for them in Matter of Law, but not in Matter of Fact.

That ſuch Councel as the ſaid Lords ſhall name to the Houſe, ſhall have free Liberty of Acceſs to their Lordſhips in Order to their Trials.

That the ſaid Lords ſhall have free liberty of any Perſon coming to them, ſo as the Lieutenant do give the Houſe an account next Morning of ſuch Perſons, as have been with them the day before if the Houſe do then ſit, otherwiſe to give the ſaid account to one of the Secretaries of State, and after to the Houſe at their next ſitting.

That in Regard, that in caſes of impeachments in Parliament, the high Steward or Lord Steward of the Houſe-hold being of right to ſupply the Place of Speaker in the Houſe of Peers, an humble Addreſs be made to His Majeſty, that he will be pleaſed to appoint a Lord high Steward to ſupply the Place of a Speaker in the Houſe of Peers, an humble Addreſs be made to His Majeſty, that he will be pleaſed to appoint a Lord high Steward to ſupply the place of Speaker of the Houſe of Peers, during the time of the ſaid Trials.

This Report was read and agreed to.

Whereas, *William* Earl of *Powis*, *William* Lord *Viſcount Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis* now Priſoners in the *Tower* of *London*, are impeached of high Treaſon &c, by the Commons in Parliament Aſſembled, who have brought into this Houſe particular Articles againſt them. It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lieutenant of the *Tower* be and is hereby required to bring the ſaid Earl of *Powis*, Lord *Viſcount Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and Lord *Bellaſis* in ſafe Cuſtody to the Bar of this Houſe, to Morrow at Ten of the Clock in the Forenoon to hear the ſaid Articles wherewith they ſtand Charged read unto them, and for ſo doing this ſhall be a ſufficient Warrant.

Ordered. By the Lords Spiritual and Temporal in Parliament

ment Aſſembled, that the Earl of *Bedford*, Earl of *Bridgewater*, Earl of *Aylsbury* do Attend His Majeſty, humbly to deſire him from this Houſe, that in regard that in caſes of impeachment in Parliament, the Lord high Steward or Lord Steward of the Houſe-hold, being of right to ſupply the Place, of Speaker in the Houſe of Peers, His Majeſty will be pleaſed to appoint a Lord high Steward to ſupply the Place of Speaker in the Houſe of Peers, during the times of the Trials of the Lords now Priſoners in the *Tower* upon their impeachments.

Whereas, *William* Earl of *Powis*, *William Viſcount Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis* now priſoners in the *Tower* of *London*, being impeached by the Houſe of Commons of high Treaſon &c, are to make their reſpective Defences upon their Trials. It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Lords may have Councel to plead for them in Matter of Law, but not in Matter of Fact, and that ſuch Councel as the ſaid Lords ſhall name to the Houſe, ſhall have free Liberty of Acceſs to their Lordſhips in Order to their Trials, as alſo any other Perſons to come to them, ſo as the Lieutenant of the *Tower* do give this Houſe an account next Morning of ſuch Perſons as have been with them reſpectively the day before, if the Houſe do then ſit, otherwiſe he is to give the ſaid account to one of the Secretaries of State, and after to the Houſe at their next ſitting.

Whereas, *Robert Hix* was this day brought to the Bar by the Serjeant at Arms attending this Houſe, for uttering Contemptuous words reflecting upon the Parliament, and thereupon acknowledging his Offence, and Begged pardon, and received the reprehenſion of this Houſe for the ſame; It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Robert Hix* ſhall attend the Lord *Lovelace*, to make his ſubmiſſion for refuſing to appear before his Lordſhip when ſummoned by him, and that he be, and is hereby diſcharged from any further reſtraint concerning this Matter, paying his Fees, and this ſhall be a ſufficient Warrant on that behalf.

A Meſſage was brought from the Houſe of Commons by Mr. *Booth* and Others, to deſire a Conference concerning the Amendments in the Bill touching the Earl of *Danby*.

The anſwer returned was, that the Lords had conſidered their Meſſage, and do agree to a Conference, and appoint the ſame to be preſently in the painted Chamber.

The Houſe appointed the ſame Lords, who managed the former Conference to Report this Conference.

The Houſe was adjourned during Pleaſure, and the Lords went to the Conference, which being ended, the Houſe was reſumed, then the Lord Privy Seal Reported the effect of the Conference, which was managed by Mr. *Powle*, who ſaid, that the Houſe of Commons Agree to ſome of their Lordſhips Amendments made to the Bill concerning the Earl of *Danby*, and others they do not.

They agree that the words (Conſent and Advice) be made to be (Advice and Conſent).

They agree the (15*th.*) be inſtead of the (10*th.*).

They agree that the word (Ought) be inſtead of (Aught).

To the reſt they do not agree, for theſe Reaſons.

The addition to the Title doth ſhew that the Amendments made by your Lordſhips to this Bill, do wholly alter the nature of it, and from a Bill of Attainder have converted it into a Bill of Baniſhment, which the Commons cannot conſent to, for theſe Reaſons.

1. That Baniſhment is not the legal Judgement in Caſes of Treaſon, and the Earl of *Danby* being impeached by the Commons of high Treaſon, and fled from Juſtice, hath already confeſt the Charge, and therefore ought to have the judgement of high Treaſon for his puniſhment.

2. That Baniſhment being not the puniſhment the Law inflicts upon theſe Crimes, the Earl of *Danby* might make uſe of this Remiſſion of his ſentence as an Argument, that either the Commons were diſtruſtful of their proofs againſt him, or elſe that the Crimes were not in themſelves of ſo high a Nature, as Treaſon.

3. That the Example of this would be an incouragement to all Perſons, that ſhall hereafter be impeached by the Commons to withdraw themſelves from Juſtice, which they would always be ready to do, if not prevented by a Commitment upon their impeachment, and thereby hope to obtain a more favorable Sentence in a Legiſlative way, then your Lordſhips would be oblidged to paſs upon them in your Judicial capacity.

The Amendments being all in Order to this alteration, the Commons do not agree to them for the former Reaſons.

After ſome conſideration, the Houſe agreed to have a conference with the Houſe of Commons this Afternoon, in the mean time the Lord Chancellor, the Earl of *Eſſex*, and the Earl of *Shaftesbury* are appointed to conſider and draw up according

cording to the Sence of the Houſe, what will be fit to be Offered to the Houſe of Commons at the Conference, and to preſent the ſame to the Houſe in the Afternoon.

A Meſſage was ſent to the Houſe of Commons by Sir *Miles Cooke*, and Sir *John Hoskins*, to let the Commons know that their Lordſhips intend to ſit this Afternoon, and to deſire that they will ſit likewiſe.

The Earl of *Bedford* Reported, that himſelf and the other Lords who were appointed to Attend His Majeſty with the humble Addreſs of this Houſe, to deſire His Majeſty he would be pleaſed to appoint a Lord high Steward, to ſupply the place of a Speaker of the Houſe of Peers, during the time of the Trials of the Lords now Priſoners in the *Tower* upon their Impeachments, had Attended His Majeſty, and His Majeſty gives this anſwer, that he will ſpeedily give Order for a Commiſſion for a Lord high Steward as is deſired,

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Die Martis 8. *Aprilis* 1679.
Poſt Meridiem.

THe Lord Chancellor Reported a paper containing a draught of what was prepared to be ſaid at the conference, with the Houſe of Commons, which was read, and after ſome Debate, the queſtion was put whether to agree to theſe words in the papers (do declare) that nothing which hath been done in the Earl of *Danbyes* caſe, ſhall ever be drawn into Example for the time to come, it was reſolved in the Affirmative.

Diſſentientibus

Thomas Culpepper *Bathe*

Ordered. That this Houſe agree with the Committee in this Report which followeth.

The Lords have deſired this conference with the Houſe of Commons, not ſo much to Argue and Diſpute, as to Mitigate and Reconcile.

They have already obſerved that the Debates of this Bill,

have given too long and too great an Obſtruction to publick Buſineſs, and therefore they deſire you to believe that, that is the Reaſon which hath Chiefly prevailed with their Lordſhips to interpoſe in a matter of this nature.

And upon this Ground it is, that if any may be found to ſatisfy and ſecure the publick fears by going leſs then the Bill you have propoſed, the Lords do think it Adviſable to inſiſt upon the utmoſt and moſt Rigorous ſatisfaction to Publick juſtice, which might be demanded.

To induce you to this compliance, the Lords do acknowledge, that Baniſhment is ſo far from being the Legal judgement in caſe of high Treaſon, that it is not the Legal judgement in any caſe whatſoever, ſince it can never be inflicted but by the Legiſlative Authority; but they ſee no Reaſon why the Legiſlative Authority ſhould always be bound to Act to the utmoſt extent of their power, for their may be a prudential Neceſſity ſometimes of making Abatements, and might be a fatal Ill conſequence of it, if it ſhould not be ſo.

And the Lords to remove all Jealouſies of this kind do declare, that nothing which hath been done in the Earl of Danbyes *caſe ſhall ever be drawn into example for the time to come, and will ſo enter it upon their journals.*

And therefore their Lordſhips do inſiſt upon their Amendments ſo far, as to exclude all Attainders, and do promiſe themſelves the Commons will in this point comply with their Lordſhips, who do again aſſure them, that their Reſolutions are only grounded upon their tenderneſs and conſideration of the publick.

A Meſſage was brought from the Houſe of Commons by Sir *Thomas Clarges* and others, who brought up a Bill intituled an Act for the better ſecuring the liberty of the ſubject, and for prevention of impriſonments beyond the Seas, to which their Lordſhips concurrence is deſired.

Ordered. That this Bill be read to Morrow.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwin* and Sir *John Franckling*, to deſire a preſent conference in the painted Chamber, concerning the Matter of the laſt Conference touching the Earl of *Danbys* Bill.

Ordered. That the Committee for the Bill for freeing the City of *London* and Parts adjacent from *Popiſh* Inhabitanrs, are hereby appointed to morrow Morning at Nine of the Clock, and have Power given them to Add ſuch clauſes to the

ſaid

ſaid Bill, as they ſhall think fit upon ſome heads, for prevention of *Popery* and to Report unto the Houſe.

The Meſſengers Return with this anſwer, that the Houſe of Commons will give a Conference as is deſired.

The Houſe was Adjourned during pleaſure, and the Lords went to the Conference, which being ended, the Houſe was reſumed, and the Earl of *Huntington* Reported, that he had delivered the *Paper* to the Houſe of Commons at the Conference.

Die Mercurii 9. Aprilis 1679.

THe Queſtion being put, whether, when the Lords come to the Bar the Door ſhall be left Open, it was Reſolved in the Negative.

This day being appointed for William *Earl of* Powis, William Viſcount Stafford, William *Lord* Petre, Henry *Lord* Arundel *of* Warder, *and* John L. Bellaſis *Priſoners in the* Tower *to be brought to the Bar, to hear the Articles of Impeachment of high Treaſon, wherewith they are Charged by the Houſe of Commons read unto them: The Gentleman Uſher of the Black Rod was Commanded to call for them in, upon which the ſaid Earl of* Powis, Viſcount Stafford, *Lord* Petre, *and Lord* Arundel *of* Warder *were brought to the Bar by the Lieutenant of the* Tower, *where they kneeled till the Lord Chancellor bid them ſtand up. Then by Command of the Houſe the ſaid Articles of Impeachment were read unto them, after which the Lord Chancellor asking them what they had to ſay for themſelves, letting them know that His Majeſty would appoint a Lord High Steward for their Trials, which Requeſts (the ſaid Lords being withdrawn) the Houſe took into conſideration, and after ſome time ſpent therein, the ſaid Lords were called to the Bar again, and the Lord Chancellor did let the Lords know, that the Lords had conſidered of their Requeſts, and had Ordered that the ſeveral Indictments found againſt them the ſaid Earl of* Powis, Viſcount Stafford, *Lord* Petre, *Lord* Arundel *of* Warder, *and Lord* Bellaſis *by the Grand Jury ſhall be brought into this Court by Writt of* Certiorari, *and that their Lordſhips may have Copies of the ſaid Articles of Impeachment, and ſhall have time given them till* Tueſday *the* 15th. *of this Inſtant* April, *to ſend in their reſpective Anſwers thereunto, with further time to Anſwer to any new Articles that ſhall be brought*

up against them, and shall have liberty to search and take out Copies of Records and Journals in Order to their Defence. And that their Lordships shall have Summons issued for such Witnesses, as they shall respectively send in the Names of, to be by them made use of at their Trials, which Witnesses shall have the Protection of this House for their safe coming and going, during the time of the said Trials; and that their Lordships shall have these Persons Assigned to them for Councels in Order to their Defences upon their Trials, whom they have respectively Named to this House. And lastly that all the Peers shall be Summoned, to the end there may be a full House at the said Trials, then Notice being taken by the House, that the Lord Bellasis *did not appear at the Bar,* Thomas Pressington, *and* Robert Dent *being sworn at the Bar, attested, that the Lord* Bellasis *is at this present so ill and lame with the Gout, that he is not able to stir out of his Bed. nor turn himself in his Bed without help, which reasonable Excuse the House allowing of, the said* Tho. Pressington *in behalf of the Lord* Bellasis *desired, that his Lordship might have a Copy of the Articles, and that Councel whom he Named might be Assigned to him, which with the other Requests made by the Lords, who appeared, were Equally condescended to for the Lord* Bellasis, *as for the other four Lords.*

Then the House made this following Order.

Whereas, *William* Earl of *Powis*, *William Viscount Stafford*, *William* Lord *Petre*, and the Lord *Arundel* of *Warder*, have appeared this day at the Bar to hear the Articles read, whereby they together with *John* Lord *Bellasis* are Charged upon Impeachment of high Treason. It is Ordered, the said *William* Earl of *Powis*, *William Viscount Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel*, and *John* Lord *Bellasis* shall stand Committed to the *Tower* of *London*, there to be kept in safe Custody, in Order to their Trials, having the same Liberty of Access of Persons to them, as they had before this Day, and this shall be a sufficient Warrant on that behalf.

Ordered. That His Majesties Writ of *Certiorari* be issued, returnable into the House of Peers in Parliament Assembled, for bringing into this Court the several Indictments, with all things thereunto belonging, whereby *William* Earl of *Powis*, *William Viscount Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellasis* are found Guilty of high Treason.

It is this day Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that Mr. *Saunders*, and Mr. *Holt* Councellors

Councellors at Law, be and are hereby Aſſigned to be of Councel with *William* Earl of *Powis*, now Priſoner in the *Tower* in Order to his Defence upon his Trial, upon the Impeachment of the Houſe of Commons, whereby he is Charged with high Treaſon, and that they the ſaid *Saunders* and Mr. *Holt* may have free Acceſs to the ſaid Earl of *Powis*, from time to time for that purpoſe.

William Viſcount Stafford, the like Order for Mr. *Saunders* and Mr. *Anthony Kekey*.

William Lord *Petre*, the like Order for Sergeant *Raymond*, Mr. *Wallop*, Mr. *Saunders* and Mr *Bradbury*.

Henry Lord *Arundel* of *Warder*, the like Order for Mr. *Saunders*, Mr. *Polleſen*, and Mr. *Holt*.

John Lord *Bellaſis*, the like Order for Sir *Thomw Skipwith*, and Mr. *Saunders*.

Forasmuch, as ſeveral Peers are upon their Trials for their Lives, and that it is the Duty of the whole Body of the Peers to Attend that ſervice, it is therefore this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Chancellor do write *Letters* to every Peer now Abſent, and Able to Travail without Danger of Life, forthwith to come to Town, and remain here attending the ſervice of this Houſe, until the ſaid Trials be over; intimating to them therein, that if they ſhall not attend the ſervice of this Houſe according to ſummons, this Houſe will ſend a Serjeant at Arms to bring them up in Cuſtody.

This Houſe being moved, that the Lord *Petre* Priſoner in the *Tower*, who hath appeared at the Bar, may have leave to ſee his Lady now lying In. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid Lord *Petre* attended by the Lieutenant of the *Tower*, and ſuch Guards as he thinks fit, be and are hereby Authorized and Permitted to call and ſee his Lady now lying In, in his return to the *Tower*.

Hodie prima vice lecta eſt Billa, an Act for the better ſecuring the Liberty of the Subject, and for prevention of impriſonment beyond the Seas.

Upon Report made by the Earl of *Clarendon*, from the Lords Committees for Examining Matters relating to the late horrid Conſpiracy, that Mr. *Titus Oates* complaines that M. *Baſſet* hath not given ſatisfaction, for the Printing and Publiſhing his Narrative of the ſaid Conſpiracy imperfectly, and deſires that he may Print his own Narrative thereof, which the ſaid

ſaid Lords Committees judge to be reaſonable. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Titus Oates* be and is hereby Authoriſed to Print a Copy of his own Narrative of the ſaid Conſpiracy.

A Meſſage was brought from the Houſe of Commons by Mr. *Gerard* and others, to deſire a free conference on the Subject matter of the laſt conference, touching the Amendments in the Bill concerning the Earl of *Danby*.

The anſwer returned was, that the Lords have conſidered of their Meſſage and Agreed to a free conference, and appoint the ſame to Morrow at Eleven a Clock in the painted Chamber.

Die Jovis 10. *Aprilis* 1679.

THe Lord Chancellor acquainted the Houſe by the Kings command, that the Houſe of Commons had Addreſſed to him for a Proclamation to be Iſſued out, for ſummoning the Earl of *Danby* to come in, which His Majeſty finding to be a Proclamation of Juſtice in a caſe before this Houſe, His Majeſty would have been Better ſatisfied if it had come from both Houſes, and therefore deſires the Advice of this Houſe what may be fit to be done thereupon.

Upon conſideration had thereupon, it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves, and the Lord *Wharton* do Attend His Majeſty with the humble thanks of this Houſe, for his Communicating to this Houſe the Addreſs of the Houſe of Commons to His Majeſty concerning a Proclamation for ſummoning the Earl of *Danby*, and to let His Majeſty know that the humble Advice of this Houſe is, that His Majeſty will be pleaſed to iſſue out ſuch a Proclamation as is deſired.

The Commons attending in the painted Chamber, the Houſe appointed the ſame Lords who Managed the laſt conference to Report this, the Houſe was Adjourned during pleaſure, and the Lords went to the free conference, which being ended, the houſe was reſumed, and the Lord Privy Seal Reported the effect of the conference, that Mr. Edward Vaughan *Opened the free conference, urging and reinforcing the reaſons which they had offered at a former conference, and which the Lords at the laſt conference had waved*

waved the anſwering of taking Notice, that Reaſon and Juſtice being for the Bill as they ſent it up, they could not yet doubt their Lordſhips Concurrence in.

Theſe being the only Motives to the paſſing of a Law, which being Occaſioned by the Parties Flight from Juſtice, and in affront of this the higheſt Court, they hoped their Lordſhips who are Judges for the Kingdom, and not only for themſelves will follow the Example of their Anceſtors, and proceed by Rules of Law, which are to guide in paſſing of Acts of Parliament, as well as in Ordinary Courſe of Judicature. Sir Francis Winnington *ſpoak next, and urged Preſidents for the like Attainder old and new, as the* Stat. 5. H 4 C. 6. John Savage *flying from Juſtice was Attainted if he came not in by a* Day, *ſo* 17. Car. Secundi Bampfield *Attainted, unleſs he came in by a Day, and wee cannot doubt but your Lordſhips will guide your ſelves by former Preſidents, the Ground and Reaſon being the ſame, but I ſhall add Reaſons to perſwade your Lordſhips which is the work of free Conferences.*

1. *We think that when ſuch Bills are Regular and Legal as is confeſt, for the Lords to change the Puniſhment would bring a great Prejudice to the Commons when he appears for him to ſay the Commons agreeing to a Compoſition, admit their proofs are not full for Treaſon.*

2. *Though we thirſt not after* Bloud, *and might have conſented to a Bill that gave not him Advantage inſtead of puniſhment, as this by the Amendments would do, yet as 't is, we cannot conſent for that Reaſon.*

3. *T'is the Earl puniſhes himſelf, our Bill is not Severe nor Rigorous, but according to the Rules of Juſtice againſt a Perſon that is impeacht, and dares not abide a Trial.*

4. *Flight is ſo Odious in the Eye of the Law, that the innocent ſuffer for flying as well as the Guilty, loſs of goods and chattels, immediately incurs againſt him that Flies from Juſtice.*

5. *This would ſhew as if different degrees of perſons ſhould have different degrees of juſtice whereas the pooreſt* Engliſh *man is to have the ſame proceedings againſt him as the greateſt Peers, & would your Lordſhips ſo make Proviſion for a flying commoner, beſides this is not the Flight of Innocent* Moſes *from the* Egiptians, *but of a Wicked* Cain *out of the ſence of his Guilt.*

The next that ſpake was Mr. *Powle.*

The laſt Conference was for an Expedient by Mitigating Puniſhment to put a quick End to this Affair, there are but two Reaſons why Puniſhment ſhould be Mitigated.

1. *When*

1. *When a Man ſeems penitent and willing to amend and give ſatisfaction, whereas this Man affronts the Juſtice of King and Parliament, and Lurks hereabouts doing ill Offices, and hindring the great Affairs of the Kingdom.*

2. *When they Merrit favor in their Office, but we cannot find one good thing he ever did whilſt he was in Power and Place.*

Mr. *Vaughan Replied.*

If your Lordſhips admit Attainders, ſome of the Lords Admitting flight to be a Proof, the Earl of Danbyes *flight hath made a Proof in this Caſe.*

Mr. *Satheveril.*

I'ts but a Bill of Summons to keep him from perfecting his Treaſons abroad, and continuing his Enmity to his Country, but as your Lordſhips have made it, it is an Act of Indempnity and Safety to him, giving him leave to go to repair the little loſs he is under here by the favor of thoſe beyond Sea, which he hath ſecured againſt his Country.

Sir *Thomas Leigh.*

What your Lordſhips Offered laſt conference, of not drawing into preſident the proceedings in the caſe of the Earl of Danby *was miſtaken by us, we thought it meant only this Parliament, not the Errors of the laſt, in not calling the Earl of* Danby *to withdraw after the Articles of Impeachment read, and the not impriſoning him, which we are glad your Lordſhips do us Juſtice in, and find the Error in the proceedings of the laſt Parliament.*

Mr. Vaughan *again ſaid, that Juſtice ſhould have it's courſe is the prime conſideration, the Earl he ſtops all himſelf, therefore he ſhould not have Benefit thereby, but ought to find that Juſtice will be too hard for his Evaſions.*

So they delivered us the Bill again with our Amendments, with expreſſion of hopes and deſire of our Concurrence in the Bill, as they have agreed it, that Juſtice may have it's courſe, and the great Affairs of Parliament be no longer Obſtructed by ſpending more time on his Perſon, who hath brought the Kingdom into ſo ſad a condition.

The Lord *Viſcount Newport* Reported, that he and the reſt of the Lords have waited on His Majeſty, and preſented him with the thanks of this Houſe for communicating to them the Addreſs of the Houſe of Commons to His Majeſty, concer-

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ning a Proclamation for ſummoning the Earl of *Danby*, and to let His Majeſty know, that the humble Advice of this Houſe is, that His Majeſty will be pleaſed to iſſue out ſuch a Proclamation as is deſired, and His Majeſty returns this anſwer, that he will give Order for a Proclamation the next Councel day.

The Houſe being moved, that the *Papers* of Sir *William Andrewes* of *Eſſex*, which are ſeized and ſecured by Sir *Richard Everard* may be inſpected, and an account given of what may relate to the late horrid Conſpiracy, the ſaid Sir *William Andrewes* being already in Cuſtody as an Agent againſt the King therein. It is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the ſaid *Richard Everard*, and *William Pert* Eſquire, be and are hereby appointed and authorized forthwith to examine and peruſe the ſaid *Papers* of Sir *William Andrewes*; and to ſecure and ſend up all ſuch of the ſaid *Papers* as may any way relate to the ſaid Conſpiracy, with an account of their proceedings therein, to the Lords Committees appointed to examine Matters relating to the Diſcovery of the late horrid Conſpiracy, in the Lord Privy Seals Lodgings neer the Houſe of Peers. And it is further Ordered, that the ſaid Sir *Richard Everard* and *William Pert* or either of them, be & are hereby Authorized and Impowred to ſearch for, ſeize and ſecure, all ſuch Perſons in the Houſe of the ſaid Sir *Wil. Andrewes*, as they have cauſe to ſuſpect to be *Popiſh* Prieſts, or Perſons ingaged in the ſaid Conſpiracy, and give the ſaid Lords Committees an account thereof.

Die Jovis 10. *Aprilis* 1679.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwin* and Sir *John Hoskins*, to deſire a free conference preſently in the painted Chamber, concerning the matter of the laſt free conference.

The Houſe entred into debate what to do, upon what was Reported about the free conference this Morning concerning the Earl of *Danbyes* Bill, it is agreed to propoſe at this intended free conference, to leave out the time in the Bill for his coming in, and ſo to make it an immediate Baniſhment, and to Offer that there may be a Forfeiture of his Eſtate, and this to be by way of agreement.

Ordered

Ordered. That an Entry be made in the Journal of this Day, that the Vote of this Houſe of the the *23th.* of *December* 1678, concerning the Earl of *Danbye* not withdrawing, after he had been heard in his place upon the Articles of Impeachment brought up againſt him by the Houſe of Commons; and the Vote of the *27th.* of *December* 1678 concerning his Lordſhips not being Committed, ſhall not be drawn into preſident for the future.

The managers of the free conference are to let the Houſe of Commons know, that this is Actually done.

The managers return with this Anſwer, that the Commons will give a free conference as is deſired.

The ſame Lords as Reported the laſt free conference to manage this.

The Houſe was Adjourned during pleaſure, and the Lords went to the conference, which being ended the Houſe was reſumed.

The Lord Privy Seal Reported, that the Lords who managed this free conference have Obeyed their Lordſhips command, and the Members of the Houſe of Commons ſaid, they had no Power to Debate what was Offered, but they would faithfully Report to their Houſe what was Offered.

This Houſe being moved, that a Blanck warrant may be iſſued and ſigned by the Clerks of the Parliament, for ſearching for and ſeizing ſome *Perſons* and *Papers* which may make a further diſcovery of the late horrid Conſpiracy, and that the Earl of *Shaftesbury* and Lord Biſhop of *London* may be intruſted to inſert the place or houſe to be ſearched, as alſo the Names of the Perſons who ſhall Execute the ſaid Warrant, to prevent a defeating of the intended ſervice, upon conſideration had thereof. It is Ordered by the Lords *&c.* That ſuch a Blanck ſhall be iſſued as is deſired, ſo as the ſearch to be made be not in the Houſe of any Member of either Houſe of Parliament, which their Lordſhips aſſured the Houſe they would take care of.

Hodie ſecunda vice lecta eſt Bills, an Act for the better ſecuring the liberty of the ſubject, and for prevention of impriſonment beyond the Seas.

Die Veneris 11. *April.* 1679.

THis day *Henry* Lord *Mowbray* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

Die Sabbati 12. *Aprilis* 1679.

THeſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

Thomas Lord *Leigh.*
Edward Lord Biſhop of *Carliſle.*

Upon Report made by the Earl of *Clarendon*, from the Lords Committees appointed to receive Information, tending to the diſcovery of the late horrid Conſpiracy, that *Lulworth* Caſtle being the Dwelling of *Humphry Weld* Eſquire, having by roder'been ſearched for, Arms and ſome Arms found there, it appearing to the Lords Committees, that the ſaid Caſtle lying upon the Sea Coaſts, and that the ſaid Arms are kept there for the ſecurity of the ſaid Houſe, and the Houſes of the Inhabitants adjacent, from the ſuddain Incurſion of Strangers landing upon the Coaſts thereabouts, who have heretofore made ſpoil there. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Arms now being in the Caſtle of *Lulworth* ſhall remain and be continued there, for the ſecurity of the ſaid Inhabitants aforeſaid.

The Houſe took into conſideration, whether to revoke the Order made for the Lords in the *Tower*, to have liberty of having Copy ſent of the Journal of this Houſe, to be made uſe of for their Defence at their Trials; the Opinion of the Lord

Lord Chief Justice of the Common Pleas, *Baron Thurland*, and Mr. *Attorney* General was required upon this case.

Whether in Inferior Courts a Prisoner that stands in question for his life, may be denied Copies of any Entries upon Record for his Defence.

And their unanimous Opinion is, that no Prisoner indicted for any Capital offence in the *Kings-Bench* can have a Copy of the Indictment without Order of Court.

That such a Prisoner cannot of right demand Copies of Informations of Witnesses against him.

The House came to no resolution herein.

It is this day Ordered, that Mr. *Henry Lawson* be and is hereby Assigned to be Sollicitor for the Earl of *Powis*, *Viscount Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and Lord *Bellasis* now Prisoners in the *Tower*; Upon their Lordships request for that purpose to look after and manage such matters as may concern them or any of them, in Order to their Trials, and that the said *Henry Lawson* may from time to time till the said Trials shall be over, have free liberty of access to their Lordships or any of them to that purpose.

Ordered, that Mr. *Thompson* is Assigned Councel of the Lord *Bellasis*, and Mr. *Hunt* for the Lord *Viscount Stafford*.

Whereas, there is a Bill now depending in Parliament intituled an Act for the better discovery and more speedy Conviction of *Popish* Recusants, wherein Provision is made that *Mervin Touchet* Esquire (with others Persons therein named), who although *Papists* were yet very instrumental in the preservation of His Majesties sacred person after the Battail of *Worcester*, and have thereby merited as a Reward of their loyalty to be distinguished from others of their Religion. It is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the said *Mervin Touchet &c.* be and are hereby protected from Imprisonment and Confinement of their Persons, or any other Punishments to be inflicted on *Popish* Recusants, for refusing any Oathes, except the Oath of Allegiance, or not repayring to Church to hear Divine service, or receiving the Sacrament according to the usage of the Church of *England*, during the depending of the said Bill in Parliament.

Ordered, that the Committee for the Bill for clearing *London* from *Popish* Recusants do meet on *Monday* next in the Afternoon.

Ordered, that on *Tuesday* next the House be put into a Committee

mittee, to proceed further in the Conſideration of the Condition of the Kingdom of *Ireland*.

The Earl of Clarendon *Reported from the Lords Committees for Examinations, that they had received Information, that there was on* Thurſday *at Night laſt a Fire in* Fetter lane, *and the Maid ſervants of the Houſe being apprehended upon ſuſpition, ſhe ſaies ſhe was bid to do it by one* James Allen, *but upon further Examination ſhe confeſt, that one* Stubbs *a* Papiſt, *and Counteſs of* Shrewesbury *Offered her Five pounds, ſo as ſhe would ſet her Maſters Houſe on Fire, for the apprehending of which* Stubbs *a Warrant is iſſued out by Mr.* Thomas Bayles *a Juſtice of the Peace.*

Die Sabbati 12. *Aprilis* 1679.

A Meſſage was brought from the Houſe of Commons by Mr. *Grey &c.* To deſire a free Conference touching the ſubject Matter of the laſt free Conference.

The anſwer returned was, that the Lords have conſidered their Meſſage, and Agree to a free Conference, and appoint it to be preſently in the painted Chamber.

The ſame Lords who managed the laſt free Conference are appointed to Report this.

The Houſe was adjourned during pleaſure, and the Lords went to the free Conference, which being Ended, the Houſe was reſumed, and the Earl of *Shaftesbury* Reported, that Sir *Francis Winnington* managed this free Conference, he told us that the Methods in the Commons proceedings about the Earl of *Danby* have been acknowledged to be right, and according to former preſidents, and therefore every way Juſtifiable.

That your Lordſhips did declare that your moſt Cogent reaſons were better to be underſtood than expreſſed.

That the Commons did Agree with your Lordſhips, that this did Occaſion long Diſputes, and that delay was very prejudicial; therefore the Commons did Earneſtly deſire, that we would Agree with them in their Bill, for the Commons did ſtand to their former proceedings.

The next that ſpoke was Sir *Timothy Lee*, who told us if your Lordſhips were not ſatisfied in any particular, they were ready at a free Conference to Debate the Matter with us, other

wiſe they were to acquaint us that the Commons had Adheered.

Several of them did acquaint us, that there was in the Bill a Miſtake, which the Houſe deſired might be mended, the 10th. of *April* for the 15th, which upon peruſal would be Evident.

Ordered. That this Houſe be Adjourned till *Monday* Morning at Nine of the Clock, and the conſideration of the Report of this free Conference is Adjourned to Eleven a Clock.

Die Lunæ 14. *Aprilis* 1679.

THis day theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

John Lord *Roberts.*
Robert Viſcount *Tarmouth.*

The Houſe took into conſideration the Report of the free Conference, with the Houſe of Commons on *Saturday* laſt, concerning the Bill touching the Earl of *Danby.*

The Houſe Agreed that the Dates of the 10th. and 15th. of *April* ſhould be altered, and made the 21th. Day of *April* in caſe the Bill be made an Attainder, as the Houſe of Commons deſires.

After a long Debate, the Queſtion was put, whether the Houſe will Agree with the Commons to the Bill for the Attainder of the Earl of *Danby* of high Treaſon, in caſe he come not in by a Day to be prefixed in the Bill, and it was reſolved in the Affirmative.

Diſſentientibus

Berkeley Northampton Bathe Ferrers.
R. Arundel Alisbury Lucas Carnarvan.
Byron John Fretchville.

Ordered. That this Houſe Agree to the making the dates of

of the 10th. and 15th. of *April* to be the 21th. of *April* in the Bill of Attainder, for the Earl of *Danby* to come in as the Houſe of Commons Deſire, and to acquaint the Houſe of Commons with their Lordſhips Reſolutions at a Conference this Afternoon.

The Earl of *Clarendon* Reported, that the Lords Committees for Examinations have received Examinations concerning the Fire in *Fetter-lane*, which were read.

1. *The Report of Mr.* Wareupp *a Juſtice of Peace.*
2. *The Examination of* Elizabeth Oxley.
3. *The Examination of* Nicholas Stubbs.

Hereupon this Order was made.

Upon Information given to this Houſe upon Oath, that *James Allen* late Fellow of the Colledge of *Dullidge* in *Surrey*, now *Vicar* of *Walter Beauchamp* in *Eſſex*, hath Encouraged *Elizabeth Oxley* to Fire Houſes; it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Serjeant at Arms Attending this Houſe, or his Deputy or Deputies ſhall forthwith Attach the Body of the ſaid *James Allen*, and bring him in ſafe Cuſtody to the Bar of this Houſe to anſwer for the ſame, and this to be a ſufficient Warrant on that behalf.

Ordered. That the Lords Committees for Examinations, do Communicate theſe *Papers* now read, and ſuch other *Papers* as were not read, to the Committee of the Houſe of Commons to be made uſe of, as they ſhall think fit.

The Earl of *Clarendon* Reported, that the Committee for Examinations have receiv'd a Petition from *Chriſtopher Hurt*, that he may have Twenty pounds paid him according to the Proclamation, he having apprehended a *Romiſh* Prieſt, but in regard the ſaid Prieſt was none of His Majeſties ſubject but a Forreiner, the Houſe was of Opinion that it was not within the Proclamation.

Die Lunæ 14. *Aprilis* 1679. *Poſt Meridiem.*

A Meſſage was ſent to the Houſe of of Commons by Sir *John Cotland* Sir *Timothy Baldwin*, to deſire a preſent free Conference in the painted Chamber, touching the Matter of the laſt free Conference.

Whereas, the Lords Committees to whom the Bill intituled, an Act for freeing the City of *London* and Parts adjacent from *Popiſh* Inhabitants, have Power to Add thereto ſeveral Clauſes for preventing the Growth of *Popery*. It is Ordered that amongſt other things Proviſion ſhall be therein made, to prevent the going of any Perſon whatſoever, under the Age of Twenty years, into Foreign parts, not being His Majeſties Dominions, and that in the mean time, no leave ſhall be hereafter granted by this Houſe to any Perſon under the ſaid Age to go out of *England* into any Coaſts beyond the Seas, not being His Majeſties Dominions.

The Meſſengers return with this Anſwer, that the Houſe of Commons will give a preſent free Conference as is deſired.

The ſame Lords who Managed the laſt free Conference, are to acquaint the Houſe of Commons with the Agreement of this Houſe in the Bill for Attainder of the Earl of *Danby*, and that they are willing alſo to Concur in Altering the Dates, to the 21*th*. of *April* for his coming in.

This Houſe was Adjourned during pleaſure, and the Lords went to the Conference, which being Ended the Houſe was reſumed.

A Meſſage was brought from the Houſe of Commons by Sir *Francis Winnington* and others, to acquaint their Lordſhips, that the Houſe of Commons agree to the Bill of Attaindet of the Earl of *Danby*, with the Amendment Offered by their Lordſhips at the laſt Conference.

Whereas, a Bill intituled an Act for Attainder of *Thomas* Earl of *Danby* of High Treaſon is now paſſed both Houſes of Parliament, and the time Limited therein for the ſaid Earl to render himſelf is on *Monday* the 21*th*. Inſtant: It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lord Privy Seal, the Duke of *Monmouth*, the Earl of *Bridgewater*, and the Lord *Grey* of *Wark* do Attend His Majeſty, humbly to acquaint him from this Houſe, that the ſaid Bill is paſſed; and in reſpect of the ſhortneſs of the time Mentioned therein for the ſaid Earls coming In, that His Majeſty will be gratiouſly pleaſed to appoint a ſhort time at which the ſaid Bill may be Tendered to His Majeſty, for his Royal aſſent.

Die Martis 15. *Aprilis* 1679.

THE Lord Privy Seal Reported, that he and the other Lords have preſented to His Majeſty yeſterday the Addreſs of this Houſe, concerning his giving his Royal Aſſent to the Bill for the Attainder of the Earl of *Danby*, and His Majeſty gives this Anſwer that he will appoint the Lords to be here to morrow Morning in their Robes, and that His Majeſty will be here alſo.

This day being appointed for the Lords Priſoners in the *Tower* to put in their Anſwers, to the Articles of Impeachment of the Houſe of Commons againſt them, which being called for and not come; it is Ordered, that the Earl of *Powis*, Lord *Viſcount Stafford*, Lord *Petre*, and Lord *Arundel* of *Warder*, be brought to the Bar of this Houſe to morrow Morning at Eleven a Clock by the Lieutenant of the *Tower*, to put in their reſpective Anſwers to the ſaid Articles of Impeachment, and this ſhall be a ſufficient Warrant on that behalf.

It was moved that the Lord *Bellaſis* Anſwer might be received, now in regard of his Lordſhips ſickneſs, which the Houſe received and read as followeth.

The ſeveral Pleas of John *Lord* Bellaſis *now Priſoner in the* Tower *of* London *to part, and his ſeveral Anſwers to the Reſidue of the Articles of Impeachment of High Treaſon, and other high Crimes and Offences exhibited to the Lords Spiritual and Temporal in Parliament Aſſembled, againſt the ſaid Lord and others therein Named, whereof the ſaid Lord ſtands Impeached by the Knights, Citizens and Burgeſſes in Parliament Aſſembled, in the Name of themſelves and of all the Commons of* England.

The ſaid Lord, in the firſt Place and before all others, proteſting his Innocence of and from all the Treaſons and other Crimes and Offences whatſoever, in the ſaid Articles contained, and no way acknowledging, confeſſing, granting, or admitting all or any the clauſes, articles, or Matters in the ſaid Articles of Impeachment contained, or ſpecified, ſo far as the ſame any ways Concerns him to be true, as in and by the ſame Articles of Impeachment is ſuppoſed. And humbly praying a favourable Conſtruction by this moſt honorable Houſe, of what the ſaid Lord ſhall humbly Offer by way of

plea, to ſuch part of the Impeachment as is here under mentioned, and that the ſame may not be taken or conſtrued as any Subterfuge, or Evaſion of the Juſtice of this honourable Houſe, to which the ſaid Lord doth with all humility wholly ſubmit himſelf, deſiring above all things, the Triał of his Cauſe by this moſt honorable Houſe, ſo that he may be provided to make his juſt Defence, for the clearing of his innocence from the great and hainous Crimes charged upon him by the ſaid Impeachment, this being prayed as alſo Liberty to Correct, amend, or explain any thing in this his Plea and Anſwer contained, which may any way give this honorable Houſe any Occaſion of Offence; and he hopeth being granted, the ſaid Lord to that part of the Impeachment which containeth the Matter following. *Namely, that for many Years now laſt paſt, there hath been contrived and carried on by* Papiſts, *a Traiterous and Execrable Conſpiracy and Plot within this Kingdom of* England *and other Places, to alter, change and ſubvert the Antient Government and Laws of this Kingdom and Nation, and to ſuppreſs the true Religion therein Eſtabliſhed, and to Extirpate and deſtroy the Profeſſors thereof; & that the ſaid Plot and Conſpiracy was carried on in Divers Places, and by ſeveral ways and meanes, and by a great Number of Perſons of ſeveral Qualitys and Degrees, who Acted therein, and intended thereby to Execute their aforeſaid Wicked and Traiterous Deſignes and Purpoſes, that the ſaid* John *Lord* Bellaſis, *and the other Lords therein Named, together with ſeveral other Perſons therein likewiſe Named or Mentioned, as falſe Traitors to His Majeſty and this Kingdom, within the time aforeſaid have Traiterouſly conſulted, contrived and Acted to, and for the Accompliſhing the ſaid wicked Pernicious and Traiterous Deſignes; and for that End did moſt Wickedly and Traiterouſly agree, conſpire and reſolve, to impriſon, depoſe, and murther His ſacred Majeſty, and to deprive him of His Royal Eſtate, Crown and Dignity, and by Malicious and Adviſed ſpeaking, and otherwiſe Declaring ſuch their purpoſes and intentions, and alſo to ſubject this Kingdom and Nation to the* Pope, *and his* Tyrannical *Government, and to ſeize and ſhare amongſt themſelves, the Eſtates and Inheritances of His Majeſties* Proteſtant *Subjects, and to Erect and Reſtore Abbys, Monaſteries, and other Convents and Societies, which have been long ſince by the Lawes of this Kingdom ſuppreſt for their ſuperſtition, and idolatry, and to deliver up and reſtore to them the Lands and Poſſeſſions now veſted in His Majeſty, and his Subjects by the Laws and Statutes of this Realm; and alſo to Found and Erect new Monaſteries and Convents, and to remove and deprive all* Proteſtant *Biſhops, and other* Eccleſiaſtical *Perſons*

ſons from their Offices, Benefices and Preferments, and by this means to Deſtroy His Majeſties Perſon, Extirpate the Proteſtant Religion, overthrough the Rights, Liberties and properties of all His Majeſties good Subjects, ſubvert the lawful Government of this Kingdom, and ſubject the ſame to the Tyranny of the See of Rome; and that the ſaid Conſpirators, and their Complies and Confederates Traiterouſly had, and held ſeveral Aſſemblies, meetings and conſultations, wherein it was Contrived and Deſigned amongſt them, what means ſhould be uſed, and what Perſons and Inſtruments ſhould be imployed to Murther His Majeſty, and did then and there reſolve to effect it, by poyſoning, ſhooting, ſtabbing, or ſome other ſuch like ways and means; and alſo to that part of the impeachment, which chargeth that the ſaid Lord Belliaſis, *and the other Perſons in the ſaid Impeachment, named the Better to compaſs their Traiterous Deſignes, have conſulted to Raiſe men, money, horſes, arms and ammunition.* The ſaid Lord ſaving to himſelf the liberty of anſwering over, and denying all and ſingular the ſaid Crimes, and Offences charged upon him, ſaith, and humbly Offereth to this moſt honorable Houſe, that the charge of thoſe Crimes and Offences, ſo Impoſed upon him by the ſaid Impeachment; is ſo General and Uncertain, that he cannot by any poſſibility give any direct anſwer thereto, nor make his juſt and lawful Defence upon any Trial for the ſame, for that the ſaid Charge hath no manner of certainty in point of time, it being ſaid only for many Years now laſt paſt, a Traiterous and Execrable plot and conſpiracy hath been contrived, and carried on, which may be for 5. 10. 20. or 30. or more Years paſt, whereby, although the ſaid Lord knoweth himſelf to be altogether Innocent of any ſuch horrible or deteſtable Crimes, as by the ſaid Impeachment are Objected againſt him, yet it is no way poſſible for him upon any Trial thereof. to be prepared with his juſt and lawful Defence by Witneſſes, to prove himſelf Abſent in another place at the time of ſuch Meeting or Conſultation, to or for any the wicked Deſignes and Purpoſes in the ſaid Impeachment mentioned, as upon his Trial may be ſuddainly Objected againſt him, when he cannot by any care or foreſight whatſoever have ſuch Witneſſes ready, as could diſprove the ſame, if he were certainly charged for any Traiterous Act or Crime, at any time certainly Alledged in the ſaid Impeachment, more certain as to the place of any ſuch Traiterous meeting or conſultation laid down in the ſaid Impeachment; it being only Alledged to be at divers Places within this Realm of *England* and elſe where, which for the cauſes aforeſaid, is likewiſe ſo utterly uncertain, that it de-

prives the ſaid Lord of his juſt Defence upon his Trial: The incertainty likewiſe of the Number of Meetings, or Conſultations to the Wicked purpoſes in the Impeachment mentioned, and the not ſhewing how many times the ſaid Lord mett and conſulted, and with whom in particular doth likewiſe deprive him of all poſſibility of making ſuch Defence, or producing his Witneſſes, for that the ſaid Lord *Bellaſis* being wholy Innocent, cannot ſuppoſe or imagin what Meeting or Conſultation, either to raiſe men, or money, for the carrying on of a Traiterous deſign, or to any other Wicked intent or purpoſe, in the ſaid Impeachment mentioned ſhall or may be Objected againſt him upon his Trial, and is as much impoſſible for him to bring Witneſſes to prove all the Meetings he hath had with others in his life time, as it is for him to know upon this General charge, what Meeting or Conſultation may upon his Trial be charged againſt him, as a Traiterous meeting or conſultation, and where it is in the ſaid Impeachment charged upon the ſaid Lord, that he hath uttered Treaſon by Malicious and Adviſed ſpeaking, writing and otherwiſe declaring, that the ſaid Lord ſaith, that never any Traiterous thought entered into his Heart, and therefore he cannot poſſible know or diſcover what words or writing he ever ſpoke, uttered, writ, or declared, which are now charged upon him as Treaſon, there being no words or writings at all ſpecified in the Impeachment, whereby the ſaid Lord might know how to prepare his Defence againſt him, or that this moſt honorable Houſe might judge, whether the ſame words or writing were in Law treaſonable or not; all which incertainties, and the Imminent and apparent Danger of the ſaid Lord being thereupon ſurprized, in his Trial of a Cauſe of this Conſequence to the ſaid Lord, wherein his life, and all elſe that is deare to him in this World, are immediatly concerned, being ſeriouſly weighed and conſidered by your Lordſhips; he humbly prayeth, as by his Councel he is Adviſed, that your Lordſhips will not put him to anſwer the ſaid Impeachment, as to the charges herein above recited, till the ſame be reduced to ſome competent certainty, that the ſaid Lord may know what to anſwer unto, and may be thereby Enabled to make his juſt Defence accordingly; all which notwithſtanding, he humbly ſubmitteth to your Lordſhips Grave judgments and conſiderations, poſeſſing himſelf always ready to do, and ſubmit to whatſoever your Lordſhips in Juſtice ſhall Order and Think fit; and as to all other the treaſons, crimes and offences whatſoever, conteyned, mentioned, ſpecified in the ſaid Impeachment, the ſaid Lord proteſting, that they are incer-

tainly

tainly and insufficiently Alledged, and therefore saving to himself the Benefit of Exception thereto, for answer thereto, saith, that he is not, nor never was guilty of the said Treasons, Crimes and Offences, or of any or either of them, of which he stands Charged by the said Impeachment, and for his Trial thereof, putteth himself upon, and humbly submitteth to the judgement of your Lordships, whose Justice the said Lord now doth, and always shall rely upon, and therein Acquiesce.

Bellasis

Ordered. That this Answer be Communicated to the House of Commons, with this Intimation, that it be speedily returned.

Then the House was put into a Committee, to proceed further in the consideration of the state and condition of the Kingdom of *Ireland*, the House was resumed, and the Earl of *Bridgewater* Reported, the Committee of the whole House are of Opinion, that an Address be made to His Majesty from this House, that upon the account of the late horrid Conspiracy, and the present prospect of affairs, and that several things are under consideration for preventing the Dangers, that may thereby Arise, and for the preservation of His Majesties Person, Kingdoms and Dominions, that His Majesty will be pleased to give Order to the Lord Lieutenant of *Ireland* in the mean time, to seize such Persons being *Papists* in *Ireland*, as his Lordship and the Councel shall judge to be dangerous to the Government there.

Agreed to be presented to His Majesty, with the rest of the particulars resolved on.

Whereas, Sir *William Andrewes* of *Essex* is seized on and brought to Town in Custody, as an Agent in the Late horrid Conspiracy against the King; it this day Ordered by the Lords Spiritual and Temporal in Parliament Assembled, that the Officer in whose Custody the said Sir *William Andrewes* now is, shall forthwith deliver the said Sir *William Andrewes* into the Prison of the *Gate-house* at *Westminster*, there to remaine a Prisoner till further Order, and this shall be a sufficient Warrant on that behalf.

The Duke of *Albemarle* delivered in a Box of *Papers* sent up sealed by Sir *Richard Everard*, found in the House of Sir *William Andrewes*, which is referred to the perusal of the Committee for Examinations.

Die

Die Mercurii 16. Aprilis 1679.

THis day *Philip* Earl of *Chesterfield* took the Oathes of Allegiance and Supremacy, and made and subscribed the Declaration in pursuance of the Act, for the more effectual preserving of the Kings Person and Government, by disabling *Papists* from sitting in either House of Parliament.

The House having received an account from the Lords Committees, for Examining matters relating to the discovery of the late horrid Conspiracy, that *Humphry Weld* Esquire hath not Obeyed the Order given him, for preventing the Back Avennues to the Chappel of the *Spanish* Embassador, but hath Frustrated the intent thereof; it is Ordered, that the Serjeant at Arms attending this House his Deputy or Deputies, shall forthwith Attach the Body of the said *Humphry Weld*, and bring him in safe Custody to the Bar of this House, to answer for the same, and this shall be a sufficient Warrant on that behalf.

The House taking notice with great dislike of tumults and noise of people, upon Occasion of Bringing the Lords Prisoners in the *Tower* to *Westminster*, it is Ordered, that the Lord Major of the City of *London*, and the Justices of the Peace, and head Bailiffs for the City of *Westminster*, and the Justices of the Peace for the County of *Surry*, be and are hereby required respectively within their several Jurisdictions and Limits, to take care and order in such manner as to them shall seeme meet, that there be no such disorderly Assembling of People in the said Cities of *London* or *Westminster*, *Burrough* of *Southwark*, or at or near *Lambeth*, or in any part of any the said places at any time, and in particular at such times, as the Lords, who are Prisoners in the *Tower* shall be brought, either by Land or by Water to *Westminster*, from henceforth during the time of their respective Trials.

The Gentleman Usher of the Black Rod acquainted the House, that *Thomas* Earl of *Danby* had rendered himself into Custody this last Night, he was commanded by the House forthwith to bring the said Earl to the Bar, upon which the said Usher of the Black Rod soone after brought the said Earl of *Danby* to the Bar, where he kneeled till the Lord Chancellor bid him stand up, and did let his Lordship know, that he stands impeached by the House of Commons of High Treason, and other high Crimes, Misdemeanors and Offences; and that he had time given him this Parliament to answer thereunto,

which

which he had not done, but had withdrawn himſelf, and thereby cauſed the Parliament to ſpend much time concerning him, which is now very precious in the Exigency of Affairs both to the King and Kingdom, and demanded of his Lordſhip what he had to ſay to this Matter.

To which, the Earl of Danby *making ſome Anſwer by way of Excuſe for his withdrawing till this time, and hoping to clear his Innocency, made ſeveral Requeſts to the Houſe in Order to his Anſwering the ſaid Charge, and making his Defence upon his Trial, after which his Lordſhip being withdrawn, the Houſe took into conſideration the Requeſts made by the Earl of* Danby, *and after ſome time ſpent therein, the Earl of* Danby *being called to the Bar again, and kneeling (as before) , the Lord Chancellor by Order of the Houſe did let his Lordſhip know, that the Lords had conſidered of his Requeſt, and that he may have a Copy of the Articles againſt him, and might have had one ſooner if thoſe that ſerve him had not neglected it ; and that the Houſe hath given him time to put in his Anſwer to the ſaid Articles, till the Firſt day of the ſitting of this Houſe after* Eaſter *day, and ſhall know that day more certainly at the Riſing of the Houſe before* Eaſter, *and that he ſhall have further time to Anſwer any new Articles, that ſhall be brought up againſt him, and ſhall know his whole charge before his Trial, and do Order that Serjeant* Raymond, *Mr.* Sanders, *and Mr.* Holt *be Aſſigned of Councel for him according to his Lordſhips Requeſt, and that ſuch other Councel not being the Kings Councel, as his Lordſhip ſhall name ſhall likewiſe be Aſſigned, if it ſhall be deſired, and that his Lordſhip ſhall have liberty to ſearch, and take out Copies of Records and Journals in Order to his Defence, and that ſummons ſhall be iſſued for ſuch Witneſſes, as his Lordſhip ſhall ſend in the Names of to be made uſe of at his Trial, and that he ſhall have liberty at his Trial to Explain himſelf upon any words by him then ſpoken, which being Miſapprehended may be to his prejudice ; and as to his Lordſhips laſt Requeſt concerning his remaining under the Cuſtody of the Black Rod, their Lordſhips adjudge that he ſtand committed Priſoner to the* Tower.

Then the Earl of *Danby* being withdrawn, the Order of his Commitment was as followeth.

Whereas, *Thomas* Earl of *Danby* being charged with Treaſon, and other high Crimes, Miſdemeanors and Offences, by Impeachment of the Houſe of Commons, hath rendered himſelf into Cuſtody of the Gentleman Uſher of the Black Rod Attending this Houſe, and was this Day brought to the Bar ; It is Ordered that the ſaid Uſher of the Black Rod, take care to convey and deliver the ſaid Earl of *Danby* into the *Tower* of *London*,

London, there to remain in ſafe Cuſtody, till he ſhall be diſcharged by due Courſe of Law, and for ſo doing, this ſhall be a ſufficient Warrant.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwin* and Sir *John Hoskins*, to acquaint them that the Earl of *Danby* hath rendered himſelf to the Black Rod, and being brought to the Lords Bar, the Lords have Ordered his Commitment to the *Tower* of *London*.

Ordered. That to morrow Morning this Houſe be put into a Committee, to take into Conſideration the Bill for the better ſecuring of the Liberty of the Subject, and for prevention of impriſonments beyond the Seas.

This day being appointed for the four Lords Priſoners in the *Tower*, to put in their Anſwers to the Impeachment of the Houſe of Commons againſt them, the Houſe Ordered, that every Lord ſingly ſhould be brought to the Bar, and kneeling, and be demanded whether he had brought his Anſwer.

The firſt was the Earl of *Powis*, who delivered in his Anſwer in writing, which was read as followeth.

The ſeveral Plea of William *Earl of* Powis, *now Priſoner in the* Tower of London *to part, and his Several anſwer to the Reſidue of the Articles of Impeachment of High Treaſon, and other High Crimes, Offences, exhibited to the Lords Spiritual and Temporal in Parliament Aſſembled againſt the ſaid Earl, and others therein Named, whereof the ſaid Earl ſtands Impeached by the Knights, Citizens and Burgeſſes in Parliament Aſſembled, in the Name of themſelves and of all the Commons of* England.

The ſaid Earl, in the firſt place and before all other, proteſting his Innocency of, and from all the Treaſons and other Crimes and Offences whatſoever, in the ſaid Articles conteyned, and no way acknowledging, confeſſing, granting, or admitting all or any the clauſes, articles, or Matters in the ſaid Articles of Impeachment contained or ſpecified, ſo far as the ſame any ways concerns him to be true, as in and by the ſame Articles of Impeachment is ſuppoſed; and humbly praying a favorable Conſtruction by this moſt honorable Houſe, of what the ſaid Earl ſhall humbly Offer by way of Plea, to ſuch part of the impeachment as is here under mentioned, and that the ſame may nor be taken or conſtrued, as any ſubterfuge or evaſion of the Juſtice of this moſt honorable Houſe, to

which

which the ſaid Earl doth with all humility ſubmit himſelf, deſiring above all things, the Trial of his cauſe by this moſt honorable Houſe, ſo that he may be provided to make his juſt Defence for the clearing of his innocency, from the great and hainous Crimes charged upon him by the ſaid Impeachment, this being prayed, as alſo liberty to correct, amend or explain any thing in this his Plea and Anſwer contained, which may any way give this moſt honorable Houſe any Occaſion of Offence; as to that part of the impeachment, that containeth the matter following; *Namely, that for many Years now laſt paſt, there hath been contrived and carried on by* Papiſts, *a Traiterous and execrable Conſpiracy and Plot, in this Kingdom of* England, *and other places, to alter, change, and ſubvert the Antient Government and Laws of this Kingdom and Nation, and to ſuppreſs the true Religion therein Eſtabliſhed, and to Extirpate and Deſtroy the Profeſſors thereof; and that the ſaid Plot and Conſpiracy was contrived and carried on in divers Places, and by ſeveral ways and means, and by a great Number of Perſons of Several Qualities and Degrees, who Acted therein, and intended thereby to Execute and Accompliſh their aforeſaid Wicked and Traiterous Deſigns and Purpoſes, and that the ſaid* Earl of Powis, *and the other Lords therein named, together with ſeveral other Perſons therein likewiſe Named or Mentioned, as falſe Traitors to His Majeſty, and this Kingdom within the time aforeſaid, have Traiterouſly contrived, conſulted, and Acted to and for the Accompliſhing the ſaid Wicked, pernicious, and Traiterous deſignes; and for that End, did moſt Wickedly and Traiterouſly agree, conſpire, and reſolve to Impriſon, depoſe, and Murther His ſacred Majeſty, and to deprive him of his Royal Eſtate, Crown and Dignity, and by Malicious and Adviſed ſpeaking, writing, or otherwiſe declaring ſuch their purpoſes and intentions; and alſo to ſubject this Kingdom and Nation to the* Pope, *and to his Tyrannical Government, and to ſeize and ſhare amongſt themſelves the Eſtates, and Inheritances of His Majeſties* Proteſtant *Subjects, and to Erect and Reſtore Abbys, Monaſteries, and other Conven s, and Societies, which have been long ſince by the Laws of this Kingdom ſuppreſſed, for their ſuperſtition and idolatry, and to deliver up and reſtore to them the Lands, and Poſſeſſions now veſted in His Majeſty, and his Subjects, by the Laws and Statutes of this Realm; and alſo to found and erect Monaſteries and Convents, and to remove all* Proteſtant *Biſhops, and other* Eccleſiaſtical *Perſons from their Offices, Benefices and Preferments, and by this means to Deſtroy His Majeſties Perſon, Extirpate the* Proteſtant *Religion, overthrow the Rights, Liberties and Properties of all His Majeſties good Subjects, ſubvert*

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the Lawful Government of this Kingdom, and ſubject the ſame to the Tyranny of the See of Rome, *and that the ſaid Conſpirators, and their Complices, and Confederates Traiterouſly had, and held ſeveral Meetings, Aſſemblies and Conſultations, wherein it was contrived and deſigned amongſt them, what means ſhould be uſed, and what Perſons and Inſtruments ſhould be imployed to Murther His Majeſty; and did then and there reſolve to effect it, by Poyſoning, Shooting, Stabbing, or ſome other like ways and means; and alſo as to that part of the impeachment, which chargeth, that the ſaid Earl of* Powis, *and the other Perſons in the ſaid Impeachment named, the better to compaſs their Traiterous Deſignes, have conſulted to raiſe men, money, horſes, arms and ammunition.* The ſaid Earl of *Powis* ſaving to himſelf, and which he humbly prayeth may be reſerved to him, the Liberty of Anſwering over, and denying all and ſingular the ſaid Crimes and Offences, ſo impoſed upon him by the ſaid Impeachment, is ſo general and incertain, that he cannot by any poſſibility give any direct Anſwer thereto, nor make his juſt and lawful Defence, upon any Trial of the ſame, for that the ſaid charge hath no manner of certainty in point of time, it being laid only for many Years now laſt paſt, A Traiterous and Execrable plot and conſpiracy, hath been contrived and carried on, which may be for 5. 10. 20. or 30. or more Years paſt, whereby, although the ſaid Earl knoweth himſelf to be altogether innocent of ſuch horrid and deteſtable Crimes, as by the ſaid Impeachment are Objected againſt him, yet it is no way poſſible for him upon any Trial thereof to be prepared with his juſt and lawful Defence by Witneſſes, to prove himſelf Abſent, and in another place at the time of ſuch meeting or conſultation, to or for any the Wicked deſignes or purpoſes in the ſaid Impeachment mentioned, or upon his Trial may be ſuddainly Objected againſt him, when he cannot by any care or foreſight whatſoever have ſuch Witneſſes ready, as could diſprove the ſame, if he were certainly charged for any Act or Crime at any time, certainly alledged in the ſaid Impeachment more certain, as to the place of any ſuch Traiterous meeting or conſultation laid down in the ſaid Impeachment; it being only Alledged to be at Divers places within the Realm of *England* and elſe where, which for the cauſes aforeſaid, is likewiſe ſo utterly incertain, that it deprives the ſaid Earl of his juſt Defence upon his Trial, the incertainty likewiſe of the Number of Meetings, or Conſultations to the Wicked purpoſes in the Impeachment mentioned, and the not ſhewing how many times the ſaid Earl met and conſulted, and with whom in particular doth likewiſe

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deprive him of all poſſibility of making his Defence, or producing his Witneſſes; for that the ſaid Earl being wholy innocent, cannot ſuppoſe or imagine what Meeting or Conſultation, either to raiſe Men or Money, for the carrying on of a Traiterous Deſign, or to any Wicked intent or purpoſe in the ſaid Impeachment mentioned, ſhall or may be Objected againſt him upon his Trial; and it is as much impoſſible for him to bring Witneſſes to prove all the Meetings he hath had with others in his life time, as it is for him to know upon this general charge, what Meeting or Conſultation may upon his Trial be Objected againſt him, as a Traiterous meeting or conſultation; and where it is in the ſaid Impeachment charged upon the ſaid Earl, that he hath uttered Treaſon by Malicious and Adviſed ſpeaking, writing or otherwiſe declaring, the ſaid Earl ſaith, that never any Traiterous thought ever entred into his Heart, and therefore he cannot poſſible know or diſcover what words, or writing he ever ſpoke, uttered, wrote or declared, which are now charged upon him as Treaſon, there being no words or writing at all ſpecified in the Impeachment, whereby the ſaid Earl might know how to prepare his Defence againſt them, or that this moſt honorable Houſe might judge, whether the ſaid words or writing were in Law Treaſonable, or not all with incertainties, and the imminent and apparent Danger of the ſaid Earl, being thereupon ſurprized in his Trial of Acauſe of this Conſequence, to the ſaid Earl, wherein his life (and honor more dear to him than his life) and all elſe that is dear to him in this World, are immediatly concerned, being ſeriouſly weighed and conſidered by your Lordſhips, he humbly prayeth, as by his Councel he is adviſed, that your Lordſhips will not put him to anſwer the ſaid Impeachment, as to the charges herein above recited, till the ſame be reduced to ſome Competent certainty, that the Earl may know what to anſwer unto, and may be thereby Enabled to make his juſt Defence accordingly; all which, notwithſtanding, he humbly ſubmitteth to your Lordſhips grave Judgements and Conſiderations, profeſſing himſelf always ready and willing to do, and to ſubmit to whatſoever your Lordſhips in Juſtice ſhall Order or think fit, and as to all other the Treaſons, Crimes and Offences whatſoever contained, mentioned or ſpecified in the ſaid Impeachment, the ſaid Earl proteſting, that they are incertainly and inſufficiently Alledged, and therefore ſaving to himſelf the Benefit of Exception thereunto, for anſwer thereunto ſaith, that he is not nor never was Guilty of the ſaid Treaſons, Crimes and Offences, or of any or either of them

of

of which he ſtands charged by the ſaid Impeachment, and for his Trial thereof, putteth himſelf upon, and humbly ſubmitteth to the Judgement of your Lordſhips, whoſe Juſtice the ſaid Earl doth now and always ſhall rely upon, and therein acquieſce.

The Lord *Viſcount Stafford* was brought in, in the like manner and delivered in his Anſwer, which was read as followeth.

The ſeveral Plea of *William Viſcount of Stafford*, now Priſoner in the *Tower of London*, to part and his ſeveral Anſwer to the reſidue of the articles of Impeachment of High Treaſon, and other High Crimes and Offences, Exhibited to the Lords Spiritual and Temporal in Parliament Aſſembled, againſt the ſaid Lord Viſcount, and others therein named, whereof the ſaid Viſcount ſtands Impeached, by the Knights, Citizens and Burgeſſes in Parliament Aſſembled, in the name of themſelves, and of all the Commons of *England*.

The ſaid Viſcount in the firſt place, and before all others, proteſting his Innocency of and from all the Treaſons, and other Crimes and Offences whatſoever, in the ſaid Articles contained, and no way acknowledging, confeſſing, granting or admitting all or any the Clauſes, Articles or Matters in the ſaid Articles of Impeachment contained, or ſpecified, (ſo far as the ſame may any way concern him) to be true, as in and by the ſaid Articles of Impeachment is ſuppoſed; and humbly Praying a favorable Conſtruction by this Moſt Honorable Houſe, of what the ſaid Viſcount ſhall humbly offer, by way of Plea to ſuch part of the Impeachment, as is hereunder mentioned, and that the ſame may not be taken or Conſtrued as any ſubterfuge, or evaſion of the Juſtice of this moſt Honorable Houſe, to which the ſaid Viſcount doth in all humility, wholly ſubmit himſelf, deſiring above all things, the Tryal of his cauſe by this moſt honorable Houſe, ſo that he may be provided to make his juſt defence, for the clearing of his Innocency, from the Great and Hainous Crimes Charged upon him by the ſaid Impeachment, this being prayed, as alſo liberty to correct, amend or explain any thing in this Plea and Anſwer contained, which may any way give this Honor-

able

able House any Occasion of Offence, and he hopeth being granted, as to that part of the impeachment, that containeth the matter following. Namely that for many Years now last past, there hath been contrived and carried on by *Papists*, A Traiterous and Execrable conspiracy and plot within this Kingdom of *England* and other Places, to alter, change and subvert the Antient Government and Laws of this Kingdom and Nation, & to suppress the true Religion therein Established, and to Extirpate and Destroy the professors thereof, and that the said Plot and Conspiracy, was contrived and carried on in Divers places, and by several ways and means, and by a great Number of Persons of several Qualities and Degrees, who Acted therein, and intended thereby to Execute and Accomplish their aforesaid Wicked, and Traiterous designes and purposes, that the said *Viscount of Stafford*, and the other Lords therein named, together with the several Persons therein likewise named, or mentioned as false Traitors to His Majesty, and this Kingdom, within the time aforesaid, have Traiterously consulted, contrived, and acted, to and for the Accomplishing the said Wicked, and Pernicious and Traiterous designes; and for that End, did most Wickedly and Traiterously agree, conspire, to Impriſon, depose, and Murther His sacred Majesty, and to deprive him of his Royal Estate, Crown and Dignity; and by Malicious and Advised speaking, writing, and otherwise declaring, such their purposes and intentions; and also to subject this Kingdom and Nation to the *Pope*, and to his Tyrannical Government, and to seize and share amongst themselves, the Estates, and Inheritances of His Majesties *Protestant* Subjects, and to Erect and Restore Abbies, Monasteries and other Convents, and Societies, which have been long since by the Laws of this Kingdom, suppressed for their Superstition and Idolatry, and to deliver up and restore to them the Lands, and Possessions now vested in His Majesty, and his Subjects, by the Laws and Statutes of this Realm, and also to Found and Erect new Monasteries, and Convents, and to remove and deprive all *Protestant* Bishops, and other *Ecclesiastical* Persons from their Offices, Benefices and Preferments, and by this means to Destroy His Majesties Person, Extirpate the *Protestant* Religion, overthrow the Rights, Liberties and Properties of all His Majesties Good subjects, subvert the lawful Government of this Kingdom, and subject the same to the Tyranny of the See of *Rome*; and that the said Conspirators and their Complices, and Confederates, Traiterously had and held several Meetings, Assemblies and Consultations, wherein it was

Contrived and Designed amongst them and what Means should be used and what Persons and Instruments should be imployed to Murther His Majesty, and did then and there resolve to Effect it by Poysoning, Shooting, Stabbing or some such like way, and means, and also as to that part of the Impeachment which chargeth the said *Viscount* of *Stafford* and the other Persons in the said Impeachment named, the better to compass their Traiterous Designs have consulted to Raise Men, Money, Horses, Arms and Ammunition, The said *Viscount* of *Stafford*, saving to himself, and which he humbly prayeth may be reserved to him, the liberty of answering Over, and denying all and singular the said Crimes and Offences so charged upon him, saith, and humbly Offereth to this most honorable House, that the charge of those Crimes and Offences, so imposed upon him by the said Impeachment, is so General and Incertain, that he cannot by any possibility give any direct Answer thereto, nor make his just and lawful Defence upon any Trial of the same, for that the said Charge hath no manner of certainty in point of time, it being laid only for many years now last past, a Traiterous and Execrable plot and conspiracy hath been contrived and carried on, which may be for 5, 10, 20, or 30, of more Years past, whereby, though the said *Viscount* knoweth himself to be altogether Innocent, of the said any such horrid and detestable Crimes, as by the said Impeachment are Objected against him; yet it is no way possible, for him upon any Trial thereof, to be prepared with his just and lawful Defence, by Witnesses to prove himself Absent, and in another place at the time of such Meeting or Consultation, to or for any the wicked Designs and Purposes in the said Impeachment mentioned, as upon his Trial may be suddainly Objected against him, when he can not by any care or foresight whatsoever, have such Witnesses ready as could disprove the same; if he were certainly charged for any Traiterous act or crime, at any time certainly Alledged in the said Impeachment, nor is the said charge in the said Impeachment more certain, as to the place of any such Traiterous meeting or consultation laid down in the said Impeachment, it being only Alledged to be at Divers places within the Realm of *England* and elsewhere, which for the causes aforesaid, is likewise so utterly uncertain, that it deprives the said *Viscount* of his Just defence upon his Trial, the incertainty likewise of the Number of Meetings or Consultations, to the wicked Purposes in the Impeachment mentioned, and the not shewing how many times the said *Viscount* Met and Consulted, and with whom in particular, doth likewise

likewise deprive him of all possibility of making his Defence, or producing his Witnesses; for that the said *Viscount* being wholly Innocent, cannot suppose or imagin what Meeting or Consultation, either to false Men or Money, for the carrying on of a Traiterous design, or to any other Wicked intent or purpose, in the said Impeachment mentioned shall, or may be Objected against him upon his Trial, and it is as much Impossible for him to bring Witnesses, to prove all the Meetings he hath had with others in his life time, as it is for him to know upon this General charge, what Meeting or Consultation may upon his Trial be Objected against him, as a traiterous Meeting or Consultation. And where it is in the said Impeachment charged upon the said *Viscount*, that he hath uttered Treason, by Malicious and Advised speaking, writing and otherwise declaring; the said *Viscount* saith, that never any Traiterous thought ever Entred into his Heart, and therefore he cannot possibly know or discover, what words or writing he ever spoke, uttered, wrote or declared, which are now charged upon him as Treason, there being no words or writings at all specified in the Impeachment, whereby the said *Viscount* might know how to prepare his Defence against them, or how this most honorable House might Judge, whether the same words or writing were in Law treasonable or not; all which incertainties, and imminent and apparent Danger of the said *Viscount*, being thereupon surprized in this trial of a cause, of such consequence to the said *Viscount*, wherein his life (and honor more dear to him than his life) and all else that is dear to him in this World, are immediatly concerned, being seriously weighed and considered by your Lordships; he humbly prayeth, as by his Counsel he is Advised, that your Lordships will not put him to Answer the said Impeachment, as to the charges therein above recited, till the same be reduced to some Competent certainty, that the *Viscount* may know what to Answer unto, and may be thereby Enabled to make his Just defence accordingly; all which, notwithstanding he humbly submits to your Lordships grave Judgements and Considerations; professing himself always ready and willing to do, and submit to whatsoever your Lordships in Justice shall order or think fit, and as to all other the Treasons, Crimes and Offences whatsoever contained, mentioned or specified, in the said Impeachment, the said *Viscount* protesting, that they are Uncertainly and Insufficiently alledged, and therefore saving to himself the Benefit of Exception thereunto, for Answer thereunto saith, that he is not, nor ever was Guilty of the said Treasons, Crimes and Offences, or of

any or either of them, of which he ſtands charged by the ſaid Impeachment; and for his Trial thereof, putteth himſelf upon, and humbly ſubmitteth to the Judgement of your Lordſhips, to whoſe Juſtice the ſaid *Viſcount* now doth, and always ſhall Rely upon, and therein Acquieſce.

Stafford.

The Lord *Petre* was brought in, in like manner, and delivered in his Anſwer, which was read as followeth.

The Humble Anſwer of *William* Lord *Petre*, now Priſoner in the *Tower of London* to the Articles of Impeachment of High Treaſon, and other High Crimes and Offences exhibited againſt him and others, by the Knights, Citizens and Burgeſſes in Parliament Aſſembled, according to the direction of an Order of this Houſe of the Ninth of this Inſtant *April*.

All advantages of exception to the ſaid Articles of Impeachment to this defendant ſaved, and reſerved.

As for the firſt part of the ſaid Articles, by which it is ſet forth, that for many years now laſt paſt, there hath been contrived and carried on by Papiſts, a Traiterous and Execrable Conſpiracy and Plot within this Kingdom of *England*, and other places to Alter, Change and Subvert the Antient Government and Laws of this Kingdom and Nation, and to ſuppreſs the true Religion therein Eſtabliſhed, and to Extirpate and Deſtroy the Profeſſors thereof, which ſaid Plot and Conſpiracy was Contrived and Carried on in divers places, and by ſeveral ways and means, and by a great number of Perſons of ſeveral Qualities and Degrees, who acted therein, and intended thereby to Execute and accompliſh their aforeſaid wicked and Traiterous deſigns and purpoſes.

The Defendant ſaith, that he doth not know, that all or any the matters herein before recited are true of his own knowledg, nor any otherwiſe, but by the proofs heard and taken before both Houſes of Parliament, and by their Votes thereupon; and likewiſe, by the ſeveral Indictments, Tryals, Verdicts and Judgments lately had and given in divers Courts of Record relating thereunto.

And this Defendant further ſaith, that he is not Guilty of all or any the matters by the ſaid Articles of Impeachment Charged againſt him.

And

And for his Tryal thereupon, he humbly putteth himſelf upon God and his Peers.

William Petre

The Lord *Arundel* of *Warder* was brought in like manner, and delivered his Anſwer, which was read as followeth.

The ſeveral Plea of *Henry* Lord *Arundel* of *Warder*, now Priſoner in the *Tower* of *London*, to part, and his ſeveral Anſwer to the Reſidue of the Articles of Impeachment of High Treaſon, and other High Crimes and Offences, Exhibited to the Lords Spiritual and Temporal in Parliament Aſſembled, againſt the Lord *Arundel* of *Warder*, and others therein named, whereof the ſaid Lord ſtands Impeached by the Knights Citizens and Burgeſſes in Parliament Aſſembled, in the name of themſelves and of all the Commons of *England*.

The ſaid Lord in the firſt place, and before others, proteſting his Innocency of and from all the Treaſons and other Crimes and Offences whatſoever, in the ſaid Articles contained, and no way acknowledging, confeſſing, granting or admitting all or any the clauſes, Articles or Matters in the ſaid Articles of Impeachment contained, or ſpecified; ſo far as the ſame any ways concerns him to be true, as in and by the ſame Articles of Impeachment is ſuppoſed, and humbly praying a favorable Conſtruction by this moſt honorable Houſe, of what the ſaid Lord ſhall humbly Offer by way of Plea, to ſuch part of the Impeachment as is hereunder mentioned; and that the ſame may not be taken or conſtrued, as any ſubterfuge or evaſion of the Juſtice of this honorable Houſe, to which the ſaid Lord doth with all humility wholly ſubmit himſelf, deſiring above all things the Trial of his Cauſe by this moſt honorable Houſe, ſo that he may be provided to make his Juſt Defence, for the clearing of his innocency from the great and hainous Crimes charged upon him by the ſaid Impeachment; this being prayed, as alſo liberty to correct, amend, or explain any thing in this his Plea and Anſwer contained with, may any way give this moſt honorable Houſe any Occaſion of Offence; and he hopeth being granted, the ſaid Lord as to that part of the Impeachment, that containeth the Matter following. Namely, that for many Years now

laſt paſt, there hath been contrived and carried on by *Papiſts*, a Traiterous and Execrable conſpiracy and plot, within this Kingdom of *England* and other places, to alter, change and ſubvert the Antient Government and Laws of this Kingdom and Nation, and to ſuppreſs the true Religion therein Eſtabliſhed, and to Extirpate and Deſtroy the Profeſſors thereof, and that the ſaid Plot and Conſpiracy was contrived, and carried on in divers Places, and by ſeveral ways and means, and by a great Number of Perſons of ſeveral Qualities and Degrees, who Acted therein, and intended thereby to Execute and Accompliſh their aforeſaid wicked and traiterous Deſigns and Purpoſes, that the ſaid Lord and the other Lords therein named together, with the ſeveral other Perſons therein likewiſe named or mentioned, as falſe Traitors to His Majeſty and this Kingdom, within the time aforeſaid, have Traiterouſly conſulted, contrived and acted, to and for the Accompliſhing the ſaid wicked Pernicious and Traiterous deſigns, and for that End did moſt wickedly and traiterouſly Agree, Conſpire and Reſolve, to Impriſon, Depoſe and Murther His ſacred Majeſty, and to Deprive him of his Royal Eſtate, Crown and Dignity, and by Malicious and Adviſed ſpeaking, writing, and otherwiſe declaring ſuch their purpoſes and intentions; and alſo, to ſubject this Kingdom and Nation to the *Pope*, and his tyrannical Government, and to ſeize and ſhare amongſt themſelves, the Eſtates and Inheritances of His Majeſties *Proteſtant* Subjects, and to Erect and Reſtore Abbies, Monaſteris and other Convents and Societies, which have been long ſince by the Laws of this Kingdom ſuppreſſed for their Superſtition and Idolatry, and to deliver up and reſtore to them the Lands, and Poſſeſſions now veſted in His Majeſty, and his Subjects, by the Laws and Statutes of this Realm; and alſo to Found and Erect new Monaſteries and Convents, and to Remove and Deprive all *Proteſtant* Biſhops, and other *Eccleſiaſtical* Perſons from their Offices, Benefices and Preferments, and by this means to Deſtroy His Majeſties Perſon, Extirpate the *Proteſtant* Religion, Overthrow the Rights, Liberties and Properties of all His Majeſties good Subjects, ſubvert the lawful Government of this Kingdom, and to ſubject the ſame to the Tyranny of the See of *Rome*; and that the ſaid Conſpirators, and their Complices and Confederates, Traiterouſly had and held, ſeveral Meetings, Aſſemblies and Conſultations, wherein it was contrived amongſt them, what means ſhould be uſed, and what Perſons and Inſtruments ſhould be imployed to Murther His Majeſty; and did then, and there Reſolve to effect

it

it, by Poysoning, Shooting, Stabbing, or some such like ways and means; and also, to that part of the Impeachment, which chargeth, that the said Lord and the other Persons in the said Impeachment named, the better to compass their Traiterous designs, have consulted to raise Men, Money, Horses, Arms and Ammunition. The said Lord saving to himself, and which he humbly prayeth may be reserved to him, the Liberty of Answering over, and denying all and singular the said Crimes and Offences, so charged upon him saith, and humbly Offereth to this most honorable House, that the charge of those Crimes and Offences so Imposed upon him, by the said Impeachment, is so general and incertain, that he cannot by any possibility give any direct Answer thereto, nor make his just and lawful Defence upon any Trial of the same; for that the said Charge hath no manner of certainty in point of time, it being laid for many Years now last past, a Traiterous and Execrable plot, and conspiracy hath been contrived and carried on, which may be for 5, 10, 20, or 30. Or more Years past, whereby though the said Lord knoweth himself to be altogether innocent of any such horrid and detestable Crimes, as by the said Impeachment are Objected against him; yet it is no way possible for him upon any Trial thereof, to be prepared with his just and lawful Defence by Witnesses, to prove himself Absent, and in another place at the time of such Meeting or Consultation, to or for any the Wicked designs and purposes in the said Impeachment mentioned, as upon his Trial may be suddainly Objected against him, when he cannot by any care or foresight whatsoever, have such Witnesses ready as could disprove the same, if he were certainly charged for any Traiterous act or crime at any time, certainly Alledged in the said Impeachment, nor is the same charge in the said Impeachment more certain, as to the place of any such Traiterous meeting or consultation laid down in the said Impeachment: It being only Alledged to be at divers Places within the Realm of *England*, and else where, and for the causes aforesaid, is likewise so utterly uncertain, that it deprives the said Lord of his just defence upon his Trial, the uncertainty likewise of the Number of Meetings and Consultations to the Wicked purposes in the said Impeachment mentioned, and the not shewing how many times the said Lord met, and consulted, and with whom in particular, doth likewise deprive him of all possibility of making his Defence, or producing his Witnesses; for that the said Lord, being wholly Innocent, cannot suppose or imagine, what meeting or consultation either to raise men, or money for the carrying on

of a Traiterous design, or to any other Wicked Intent or purpose in the said Impeachment mentioned, shall or may be Objected against him upon his Trial; and it is as much impossible for him to bring Witnesses to prove all the Meetings he hath had with others in his life time, as it is for him to know upon this General charge, what Meeting or Consultation may be Objected upon his Trial against him, as a Traiterous meeting or consultation; and where it is in the said Impeachment charged upon the said Lord, that he hath uttered Treason by Malicious and Advised writing, speaking, and otherwise declaring; the said Lord saith, that never any Traiterous thought was Entred into his Heart; and therefore he cannot possibly know, or discover what words or writing he ever spoke, uttered, wrote or declared, which are now charged upon him as Treason, there being no word, or writing at all specified in the Impeachment, whereby the said Lord might know how to prepare his Defence against them; or that this honorable House might Judge, whether the same words or writing were in Law treasonable or not; all which incertainties, and the imminent and apparent Danger of the said Lord, being thereupon surprised in his Trial, in a cause of this consequence to the said Lord, wherein his life and honor more dear to him than his life, and all else that is dear to him in this World, are immediatly concerned, being seriously weighed, and considered by your Lordships; he humbly prayeth as by his Councel he is Advised, that your Lordships will not put him to Answer the said Impeachment, as to the charges therein above recited, till the same be reduced to some competent certainty, that the said Lord may know what to Answer unto, and may be thereby Enabled to make his just Defence accordingly; all which notwithstanding, he humbly submitteth to your Lordships grave Judgments and Considerations, professing himself always ready and willing, to do and submit to whatsoever your Lordships in Justice shall Order or think fit; and as to all other the Treasons, Crimes and Offences whatsoever, contained, mentioned or specified in the said Impeachment, the said Lord protesting, that they are uncertainly and insufficiently Alledged, and therefore saving to himself the Benefit of Exception thereunto, for Answer thereto, saith, that he is not, nor ever was guilty of the said Treasons, Crimes and Offences, or any, or either of them, of which he stands charged by the said Impeachment; and for his Trial, putteth himself upon, and humbly submitteth to the Judgement of your Lordships, whose Justice the said

Lord

Lord now doth, and always ſhall Rely upon, and therein Acquieſce,

Henry Arundel.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwyn* and Sir *John Hoskins*, to let them know, that the Five Lords Priſoners in the *Tower*, have put in their ſeveral and reſpective Anſwers to the Impeachment, brought up from the Houſe of Commons againſt them, which this Houſe Communicates to them, and deſires that the ſaid Original Anſwers may be returned with all convenient ſpeed.

Die Veneris 17. April 1679.

THis day *Thomas* Earl of *Berks* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from Sitting in either Houſe of Parliament.

Whereas, *Humphrey Weld* Eſq; was this day brought to the Bar by the Serjeant at Arms, attending this Houſe, for not Obeying the Orders given for preventing the Back avennues to the Chappel of the *Spaniſh* Ambaſſador, and fruſtrating the intent thereof, upon hearing what the ſaid *Humphrey Weld* had to ſay concerning that matter; It is Ordered, that the ſaid *Humphrey Weld* be and is hereby diſcharged from any further reſtraint for the cauſe aforeſaid, paying his Fees, and this ſhall be a ſufficient Warrant on that behalf.

Whereas, there is a Bill depending in Parliament, entituled an Act for the better diſcovery, and more ſpeedy conviction of Popiſh Recuſants, wherein proviſion is made, that Mr. *Francis Wolf* of *Madely*, with other Perſons therein named, who although Papiſts, were yet very Inſtrumental in the Preſervation of His Majeſties Sacred Perſon, after the Battel of *Worceſter*; and have thereby merited as a reward of their Loyalty, to be diſtinguiſhed from others of their Religion; It is thereupon Ordered *&c.* that the ſaid *Francis Wolf* and

and his Wife, be and are hereby protected from Imprisonment and confinement of his Person, or any other penalties to be inflicted upon Popish Recusants, for refusing any Oathes (except the Oath of Allegiance,) or not repairing to Church to hear Divine Service, or receiving the Sacrament according to the Usage of the Church of *England*, during the depending of the said Bill in Parliament.

Upon serious consideration had by the Lords Spiritual and Temporal in Parliament Assembled, of the present State of *Ireland* in this time of Imminent danger, and of the securing of the Protestant Religion there; It is Ordered by their Lordships, that the Lord Privy Seal, Earl of *Strafford*, Earl of *Essex*, Earl of *Burlington*, the Lord *Roberts*, the Lord *Herbert* of *Cher.* and the Lord *Butler* of *Moor Park*, do attend His Majesty, humbly to desire him from this House, that His Majesty will be pleased to give Order to the Lord Lieutenant of *Ireland*, to put all the Laws in Execution strictly and vigorously, that are now in Force, for the disarming of all Papists there, and that the Lord Lieutenant take the best care he can to Arm all the Protestants there, for the defence of their Religion, and the Government of that Kingdom, and that His Majesty will be pleased to give Order, that a sufficient Quantity of Arms and Gun-powder may be sent over to such places in *Ireland*, as His Majesty shall direct to be disposed of, as the Lord Lieutenant shall think fit, which are to be sold to the Protestants, and at such rates, as that His Majesty may be reimbursed his Charges, and also that His Majesty will be pleased to give Order to the Lord Lieutenant of *Ireland*, for the enquiring after, and prosecuting such Bonds by suits, as have been entred into in *Ireland*, for the Education of Children in the Protestant Religion, and are forfeited by the said Childrens being Educated Papists; and that the forfeitures may by His Majesties Order be disposed in such manner to charitable uses, as that they be Effectually recovered; and that His Majesty will be pleased to give Order, that an account may be transmitted hither, of the Names of the *Guardians*, and of the security Entered into for the Education of Children in *Ireland* in the *Protestant* Religion, with the Names of the said Children, Expressing respectively, which have been Educated *Protestants*, and which *Papists*; and also, that His Majesty will be pleased to give Order to the Lord Lieutenant of *Ireland*, to put the Laws there in Execution to the utmost, against all Jesuits, and such other *Popish* Priests, as Exercise *Ecclesiastical* Jurisdiction after the *Romish* Religion in *Ireland*, and that upon the account of the late

late horrid Conſpiracy, and the preſent proſpect of Affairs; and that ſeveral things are under Conſideration, for preventing the Dangers that may hereby ariſe, and for the preſervation of His Majeſties Perſon, Kingdom and Dominions; that His Majeſty will be pleaſed to give Order to the Lord Lieutenant of *Ireland* in the mean time, to ſecure ſuch Perſons being Papiſts in *Ireland*, as his Lordſhip and the Council ſhall judge to be Dangerous there.

The Houſe was Adjourned into a Committee, to conſider of the Bill for the better ſecuring the Liberty of the Subject; the Houſe being reſumed, the Lord *Roberts* Reported, that the Opinion of the Committee of the Houſe is, that the further conſideration of the Bill be put off till the next day of ſitting after *Eaſter* Day, and that in the mean time a Committee may be appointed to conſider of the whole Coherence of the ſaid Bill, ſo that it may be put in a fit Method to be Offered to the Committee of the whole Houſe the next ſitting, to which purpoſe, the Houſe named the Comittee following.

L. Chancellor	The Judges and Mr. Attorney
L. P. Seal *&c.*	General to Aſſiſt their Lordſhips

Whereas, *Thomas* Earl of *Danby* was yeſterday appointed to put in his Anſwer in Writing to the Articles of Impeachment, wherewith he ſtands Charged by the Houſe of Commons, on the firſt day of the Sitting of the Parliament next after *Eaſter day*, it is this day Ordered, that the ſaid *Thomas* Earl of *Danby* is hereby appointed to put in his ſaid Anſwer, on *Wedneſday* the 23 of this Inſtant *April* at Ten of the Clock in the Forenoon.

Die Lunæ the 21. *of April* 1679.

THis day *Lewis* of *Feverſham* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaraion in purſuance of the Act for the more Effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

William

William Colgrave and *Charles Feltham* depoſed upon Oath at the Bar, that the Marqueſs of *Dorcheſter* is ſo afflicted at preſent with the ſtone and the ſtrangury that he is not able to attend this Houſe, which excuſe the Houſe allowed of.

Hodie ſecunda vice lecta eſt Billa, an Act for the better Regulating of the Tryals of the Peers of *England*.

Then His Majeſty Sitting in His Royal Throne, Adorned with his Regal Crown and Ornaments, commanded the Gentleman Uſher of the Black Rod to let the Houſe of Commons know, His Majeſties pleaſure is that they attend him preſently, who being come, His Majeſty made this ſhort Speech following.

My Lords and Gentlemen,

I thought it requiſite to acquaint you with what I have done now this day, which is, that I have eſtabliſhed a new Privy Councel, the conſtant number of which ſhall never exceed Thirty; I have made choice of ſuch Perſons, as are all able and worthy to adviſe me, and am reſolved in all my weighty and important Affairs (next to my great Councel in Parliament) whom I ſhall very often Conſult with to be adviſed by this Privy Councel.

I could not make ſo great a change without acquainting both Houſes of Parliament; and I deſire you all to apply your ſelves heartily, as I ſhall do to thoſe things that are neceſſary to the good and ſafety of the Kingdom, and that no time may be loſt in it.

This being done His Majeſty withdrew and the Commons with their Speaker went to their Houſe.

Whereas, *Thomas* Earl of *Danby* was by Order of this Houſe to put in his Anſwer in writing on *Wedneſday* the 23*th*. inſtant to the Articles of Impeachment, whereby he is charged by the Houſe of Commons with Treaſon, and other High Crimes, Miſdemeanors and Offences; it appearing by the Petition

Petition of the ſaid Earl, that by reaſon of ſome of his Counſel being out of Town, and that one of the Counſel whom his Lordſhip deſired was not aſſigned to him, he cannot poſſibly be ready ſo ſoon to anſwer a Charge of ſo high a concern to him, and therefore prayeth that ſome longer time may be allowed him for that purpoſe; It is thereupon Ordered, that the Earl of *Danby* hath hereby time given him to put in his Anſwer to the ſaid charge, till *Fryday* the Five and Twentieth day of this inſtant *April*, at Ten of the Clock in the Forenoon.

The Earl of *Clarendon* Reported, that the Lords Committees for Examinations have received Examinations, concerning a Deſign to Poyſon Mr. *Oates*, which were read as followeth.

Midds. at *Weſtminſt* ſſ.

The Information of Dr. *William Jones* M. D. taken upon Oath, the 28 day of *March* 1679. before me *Edmond Warcup* Eſquire, one of His Majeſties Juſtices of the Peace for the ſaid County and Liberty,

This Informant ſaith, that it being known that he was and is Phyſitian to Mr. *William Bedloe*, diſcoverer of the Horrid Plot againſt His Majeſties Sacred Life and the Government, one Dr. *Smith* a Phyſitian came to this Informant on *Saturday* the 22 inſtant, pretending ſome private buſineſs, when this Informant after ſome diſcourſe ſaid, he muſt go to Mr. *Bedloe*, to which Dr. *Smith* replyed, are you great with Mr. *Oates* and Mr. *Bedloe*, this Informant replying he was Phyſitian to them both, *Smith* anſwered, Ged damm them both, why do you not poyſon them? you may have money enough for that Service, then you know what to do, with all, this Informant replyed thereto, that an Enemy could not do him a greater injury then to put a truſt in him, how then could this Informant do miſchief to his Friends; all which paſſed between this Informant and the ſaid Dr. *Smith*, at his this Informants Lodgings at the *Ball* at *Charing-croſs*.

And this Informant further ſaith, that he with Dr. *Smith* went thence to an Ale houſe in *Green-ſtreet*, neer the *Mews* where the ſaid Dr. *Smith* did amongſt other Diſcourſes poſitively Affirm, that the Plot was no Plot at all, but a thing contrived by *Oats*, *Bedloe* and the Earl of *Shafteſbury* meerly to Ruin the poor *Roman Catholiks*, whereupon this Informant ſaid, that if Mr. *Oates* and Mr. *Bedloe* did live, moſt of the Lords

Lord in the *Tower* would suffer; to which the said Dr. *Smith* Replyed, they will or they shall not live to see that day, for they are too great Rogues to have a Being.

Jurat die & animo sup *William Jones*
Cor. me Edmond Warcup.

The Examination of Dr. Emanuel Smith, *taken the* 19th. *of* April 1679. *In pursuance of an Order of the Lords Committees, for Examining matters Relating to the Discovery of the late horrid Conspiracy before me* Edmond Warcup *Esquire, one of His Majesties Justices of the Peace in the said City and Liberties.*

This Examinant saith, that he knows no more of any Plot than the Child unborn, and as to any belief of a Plot, he saies the Circumstances speak as if there were a Plot, but how what or by whom he knows not, nor for what Ends, but saies if he knew of any Plot against the King, the Government or the true *Protestant* Religion, he would Reveal it, he confesseth he hath been Acquainted with Dr. *Jones* about Five or Six years, and that there never was any difference between them, and this Examinant confesseth, that he and Dr. *Jones* were together at the *Green Mews*, about the time in the Information mentioned, where one *Baxter*, as this Examinant believes his Name to be, came to them, and there was a discourse about the Disease he then complained of, but this Examinant saith, that there were so little Concern about Mr. *Bedloe* in the discourse then, that he remembers it not, nor took no notice of it; and this Examinant saith, that Mr. *Jones* Declaring Mr. *Bedloe* was his Patient, this Examinant did or might say why do you not prescribe him a Pill, but meant not thereby any ill to Mr. *Bedloe*; and this Examinant saith he had not any thoughts of doing any Mischief to Mr. *Bedloe*, upon any account of the *Papists*, and denies that he Ever mentioned the Word poyson, he ownes that he is a Christian, but of what Profession in Religion refuseth to confess; and this Examinant saith, that to his remembrance or belief, there was not the least Discourse about the Earl of *Shaftesbury*, or any Design, that his Lordship with Mr. *Bedloe*, or Mr. *Oates* had to frame any Design against the *Papists*, or as if they intended any Design to make the *Papists* to be believed, to intend any thing against the Government Established; and he saith, that Mr. *Oates* was mentioned at the same time,

time, and that he had no Malice either to Mr. *Oates* or Mr. *Bedloe*, or any intent by money or otherwise, to perſwade Dr. *Jones* to any Act of Poyſon or hurting them. And this Examinant further ſaith, that when he is in Town, he Lodgeth in *Creed Lane* at Mrs. *Lawrance* her Houſe, and when he was in the Country, he was with an Aunt of his Wifes, at or neer *Baſingſtoake* in *Hampſhire*, at one Mr, *Chandlers*, and all their Family are *Proteſtans*, and he denieth, that there was any Diſcourſe whatſoever, concerning the Trial of the Lords in the *Tower*, and further ſaith not.

Capt. coram me *E. Smith*
Edm. Warcup

Hereupon this Houſe made this Enſuing Order.

Whereas *Emanuel Smith* Dr. in Phiſick, is charged to prevail with Dr. *Jones* to poyſon *William Bedloe*, as appeareth by the Information of the ſaid Dr. *Jones* taken upon Oath; it is Ordered, that the Keeper of *Wood-ſtreet* Counter, in whoſe Cuſtody the ſaid *Emanuel Smith* now is, do forthwith deliver him the ſaid *Emanuel Smith*, into the Priſon of the *Gate-houſe* at *Weſtminſter*, there to remain a Priſoner till further Order, and for ſo doing this ſhall be a ſufficient Warrant.

Upon report made by the Earl of *Clarendon* from the Lords Committees, for Examining matters relating to the diſcovery of the late Horrid Conſpiracy, that *Francis Allen*, who was taken into Cuſtody being charged with incouraging *Eliz. Oxley* to Fire Houſes, hath been Examined before their Lordſhips, and denyeth what is charged on him; now in regard the Examinations taken concerning the Houſe Fired by the ſaid *Elizabeth Oxley* in *Fetter* Lane, are before a Committee of the Houſe of Commons; it Ordered, that the Serjeant at Arms Attending this Houſe, or his Deputy or Deputies do forthwith carry the ſaid *James Allen* to the ſaid Committee to be Examined, and diſpoſed of as the ſaid Committee ſhall think fit, and this ſhall be a ſufficiennt Warrant on that behalf.

Upon Report made from the Lords Committees, for Examining matters relating to the Diſcovery of the late horrid Conſpiracy, that their Lordſhips think it neceſſary, that *Sturges* now a Priſoner in the Goal at *Chelmsford* ſhould be brought to Town; it is Ordered, that the Serjeant at Arms Attending this Houſe or his Deputy or Deputies, do forthwith repair to the Goal at *Chelmsford* in *Eſſex*, and bring

bring thence the Body of the ſaid *Sturges*, and deliver him into the Priſon of the *Gate-houſe* at *Weſtminſters* there to remain a Priſoner till further Order; and this ſhall be a ſufficient Warrant on that behalf.

Die Martis 21. *Aprilis* 1679.

THe Lord Privy Seal Reported, that himſelf and the other Lords appointed to preſent the humble Addreſs of this Houſe concerning *Ireland* to His Majeſty, have waited on His Majeſty with the ſame; to which His Majeſty returns this Anſwer, that he conſents to the Deſires of this Houſe therein, and will give ſpeedy Order for every particular in it.

The Lord *Viſcount Halliſax* Reported, that the Committee have conſidered the Bill for freeing the City of *London* and the parts Adjacent from *Papiſts*, and have made ſome Amendments therein, which are Offered to the Conſideration of the Houſe, the ſaid Amendments were read Over, and after ſome Debate; it is Ordered, that the Houſe be put into a Committee on *Thurſday* Morning next, to conſider further of theſe Amendments.

Die Mercurii 23. *Aprilis* 1679.

THis day *Humphrey* Lord Biſhop of *Bangor* took the Oaths of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more Effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

Upon Report from the Lords Committees for Examining matters, relating to the Diſcovery of the late Conſpiracy, that *Thomas Knox* is a dangerous Perſon, who hath Endeavored to tamper with and Corrupt Witneſſes, relating to the ſaid Diſcovery; it is thereupon Ordered, that the Serjeant at Arms Attending this Houſe, his Deputy or Deputies, ſhall

ſhall forthwith Attach the Body of the ſaid *Thomas Knox*, and deliver him into the Priſon of the *Gate-houſe* at *Weſtminſter*, there to Remain in ſafe Cuſtody till further Order, and this ſhall be a ſufficient Diſcharge in that behalf.

Upon Report from the Lords Committees, relating to the Diſcovery of the late horrid Conſpiracy, that their Lordſhips have Examined *Andrew Thompſon*, now Priſoner in the *Gate-houſe* at *Weſtminſter*, and Judge it fit, that he be continued there and kept a cloſe Priſoner for ſome time; it is Ordered, that the ſaid *Andrew Thompſon* be continued a Priſoner in the *Gate houſe* till further Order, and be kept there under Cloſe reſtraint for one Week from the Date hereof, and this ſhall be a ſufficient Warrant on that behalf.

The Houſe being moved, that a Blanck warrant be iſſued and ſigned by the Clerk of the Parliament, and ſeizing ſome Perſons, and that the Lords Committees for Examining matters, relating to the Diſcovery of the late horrid Conſpiracy, may be intruſted to Inſert the Places and Perſons to be ſearched, and ſeized, as alſo the Names of the Perſons, who ſhall Execute the ſame to prevent the defeating of the intended ſervice; upon Conſideration had thereof, it is Ordered, that ſuch a Warrant ſhall be iſſued as is deſired, ſo as the ſearch to be made be not in the Houſe of any Member of either Houſe of Parliament, which the ſaid Lords Committees are to take ſpecial care of.

Upon Report made from the Lords Committees, appointed to receive Informations tending to the Diſcovery of the late horrid Conſpiracy, that *Edmond Warcup* Eſquire, one of His Majeſties Juſtices of the Peace, and Deputy Lieutenant for the County of *Middleſex* and City and Liberties of *Weſtminſter*, hath diligently Executed the ſeveral Orders and Commands of this Houſe, and of the ſaid Committee, with no leſs Care and Prudence then Hazard and Charge; and that his ſervices have been ſo ſucceſful and eminent, for the ſafety of His Majeſties Royal Perſon and Government, as that they deſerve particular Regard; it is thereupon Ordered, that the Lords with white Staves do Attend His Majeſty with the humble Deſire of this Houſe, that His Majeſty will be Graciouſly pleaſed, to Confer upon the ſaid *Edmond Warcup*, ſome ſuch Conſiderable imployment, as may be ſuitable to His Majeſties Royal Bounty, and the Merits and Services of the ſaid *Edmond Warcup*.

Upon Report from the Lords Committees, relating to the Diſcovery of the late horrid Conſpiracy, that their Lordſhips have diſpoſed of the One hundred pound, which by His Ma-

jeſties Gratious Order was paid to the Clerk, attending them for Incouragements and Rewards to ſeveral poor People, who have been ſerviceable in Order to the Diſcovery of the ſaid Conſpiracy, which hath not proved ſufficient in a Competent manner, to reward all that have deſerved due Incouragement; and therefore deſire, that One hundred pounds more may be intruſted to their Lordſhips diſpoſal, which they Judge may be ſufficient for the purpoſes aforeſaid; it is thereupon Ordered, that the Earl of *Eſſex* do Attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be Graciouſly pleaſed to give Order that One hundred pound more may be paid out of His Majeſties Treaſury in the Exchequer without Fees, into the hands of the ſaid Clerk, to be thence iſſued to ſuch Perſons and in ſuch Proportions, as the ſaid Lords Committees ſhall think fit.

Upon Report from the Lords Committees, for Examining matters relating to the Diſcovery of the late horrid Conſpiracy, that their Lordſhips find it Requiſite, that *David Lewis*, who hath been try'd and condemned as a *Popiſh* Prieſt, at the Aſſizes held for the County of *Monmouth*, and is now in the Goal there, may be brought to Town; it is Ordered that the Sheriff for the ſaid County of *Monmouth*, be and is hereby required to take care and give Order, for the ſpeedy conveying of the ſaid *David Lewis* in ſafety from the ſaid Goal, to be delivered into the Priſon of *Newgate*, the Charges of which ſervice ſhall be Allowed to the ſaid Sheriff upon his Account in the Exchequer, and this ſhall be a ſufficient Warrant on that behalf.

The like Order for *Roger Hanſlip* at the Goal at *Glouceſter*.
The like Order for *John Kember* in the Goal at *Hereford*.
The like Order for *Francis Johnſon* alias *Webb* in the Goal at *Worceſter*.

It is this day Ordered, that it be and is hereby recommended to the Commiſſioners of His Majeſties Treaſury for the time being, that by their Order, allowances may be made to the Reſpective Sheriffs, of ſuch Sums of Money as they or any of them ſhall make appear, to have been by them or any of them Reſpectively diſburſed, either as Rewards to Diſcoverers of *Popiſh* Prieſts, or of bringing up Priſoners to *London* or *Weſtminſter*, by Order of this Houſe, or for any other ſervice relating to the diſcovery of the late horrid Conſpiracy.

It is this day Ordered, that all ſuch Perſons, who have obtained leave either from His Majeſties Privy Council, or this

House,

House, to come and stay in the City of *London* and *Westminster*, or either of them, be and they are hereby respectively required, to bring in their own Names, as also the Names of their respective Servants, or others in their Families, so lycenced to stay in Town to the Clerk of the Parliament, on or before *Monday* the *18th.* Day of this instant *April*, or otherwise the lycences of such of them as shall make Default thereof, are hereby declared after the said day to be void; and it is further Ordered, that this Order be forthwith Printed and Published, to the End, that all persons concerned may take Notice thereof at their Perils.

Ordered. That on *Friday* next the House be put into a Committee, to consider of the Bill for the better securing the liberty of the Subject.

Ordered That this House be presently put into a Committee, to consider of the Bill for the better Regulating the Trial of the Peers of *England.*

The House Adjourned was during pleasure, the House being resumed, the Earl of *Huntington* Reported, that the Committee of the House have made some Progress in the Bill, for the Trial of the Peers, and the Committee desires, that the House might be in a Committee again on *Saturday* next, to proceed therein, which the House have Ordered accordingly.

Die Jovis 24. *April.* 1679.

THis day *Baptist Viscount Campden* took the Oaths of Allegiance and Supremacy, and made and subscribed the Declaration, in pursuance of the Act, for the more Effectual preserving of the Kings Person and Government, by disabling *Papists* from sitting in either House of Parliament.

A Message was brought from the House of Commons by Mr. *Booth* and Others, to desire a conference concerning the Pleas and Answers of the five Lords in the *Tower*, impeached by the House of Commons.

The Answer returned was, that the Lords have considered their Message, and will give them a Conference as is desired, which the Lords appoint to be presently in the painted Chamber.

The House was Adjourned during pleasure, and the Lords

went to the Conference, which being Ended the House was Resumed.

And the Lord President Reported the Effect of the Conference, *viz.*

That Sir *Francis Winnington* managed the Conference, which he told us was desired concerning the five Pleas or Answers, or rather Writings of the Lords in the *Tower*.

In the first Place, my Lord Bellasis *cannot put in his Answer but personally at the Bar, otherwise they count it as a Nullity; that the several Writings of the four Lords, for so he can only call them, are Argumentive and Evasive, to which the Commons neither can or ought to Reply.*

That the Answer of my Lord Petre *is a legal Answer.*

That the Lord Bellasis *must put in his Answer, before the other Lords can be proceeded with; therfore the Commons demand, that the three Lords may be required to put in more perfect Answers, and that the Lord* Bellasis *may be required forthwith to put in his Answer.*

As to the Impeachment the Lords complain of, the Uncertainty of time in their Charge, the House of Commons have considered all Presidents, Antient and Modern, and find them all run in General terms as this doth, but because they would speed the matter and avoid delay, the House of Commons do declare, that in the Trial of these five Lords, they will give no Evidence particularly, beyond the space of seven Years last past.

After some Debate, these Lords following were appointed to consider of the Objections made by the House of Commons this day at the Conference, concerning the Pleas and Answers of the five Lords now Prisoners in the *Tower*, to the Impeachments wherewith they are Charged by the House of Commons, and to Report to the House, what they find concerning matters of this nature.

L. President.
L. P. Seal.
M. *Winton* &c.

Their Lordships or any five of them to Meet this Afternoon, at four of the clock in the Princes Lodgings, and to Adjourn as they please.

Ordered, That the Lord *Bellasis* is required to put in his Answer to morrow Morning.

It is this day Ordered by the Lords Spiritual and Temporal

ral in Parliament Aſſembled, that the Lieutenant of the *Tower* of *London*, be and is hereby required to bring *John* Lord *Bellaſis*, now Priſoner in the *Tower* to the Bar of this Houſe to Morrow at Ten of the Clock in the Forenoon, to put in his Anſwer to the Articles of Impeachment, whereby he is charged with high Treaſon, and other high Crimes, Misdemeanors and Offences by the Houſe of Commons, and for ſo doing, this ſhall be his ſufficient Warrant.

Whereas, *Thomas* Earl of *Danby* now Priſoner in the *Tower* of *London*, is by Order of the 21*th*. Inſtant appointed to put in his Anſwer in writing, to the Articles of Impeachment, whereby he is charged with Treaſon, and other high Crimes, Misdemeanors and Offences, by the Houſe of Commons to Morrow, being the 25*th*. of this Inſtant *April*; it is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lieutenant of the *Tower*, be and is hereby required to bring the ſaid Earl of *Danby*, to the Bar of this Houſe to Morrow at Ten of the Clock in the Forenoon for the cauſe aforeſaid, and for ſo doing this ſhall be a ſufficient Diſcharge.

Die Veneris 25. *Aprilis* 1679.

WHereas, *Emanuel Smith* ſtands Committed to the *Gate houſe* in *Weſtminſter*, for Endeavoring to prevail with Dr. *Jones*, to Poyſon *William Bedloe*; it appearing to the Houſe, that there are other Matters againſt him the ſaid *Emanuel Smith*, for which he ought to be brought to a ſpeedy Trial; it is thereupon Ordered, that the Keeper of the *Gate-houſe*, be and is hereby required to take care, that the ſaid *Emanuel Smith*, be forthwith conveyed to the Priſon of *Newgate*, there to remain in ſafe Cuſtody, in Order to his ſaid Trial, and this ſhall be a ſufficient Warrant on that behalf.

Ordered. That to morrow Morning the Amendments in the Bill, for clearing the City of *London* and Parts adjacent from *Papiſts*, ſhall be taken into further conſideration in a Committee of the whole Houſe.

This day being appointed for the Earl of *Danby*, to put in his Anſwer in writing to the Impeachment of the Houſe of Commons againſt him, his Lordſhip was brought to the Bar by the Lieutenant of the *Tower*, where having kneeled until

he was bid to ſtand up, the Lord Chancellor by directions of the Houſe, demanded of the Earl of *Danby* his Anſwer, who delivered in a Parchment as his Plea and Anſwer, which was read as followeth.

The Plea of Thomas *Earl of* Danby, *late Lord high Treaſurer of* England, *to the Articles of Impeachment of high Treaſon, and other high Crimes and Miſdemeanors and Offences exhibited againſt him, by the Name of* Thomas *Earl of* Danby, *Lord high Treaſurer of* England.

The ſaid Earl having and reſerving to himſelf, the Benefit of His Majeſties Gratious Pardon by him hereunder pleaded, and which he humbly prayeth may be reſerved to him, by proteſtation ſaith, that as to the ſaid Articles exhibited againſt him, are ſo general and uncertain, that he cannot make any particular anſwer thereto, nor give any particular account thereof, ſo the ſaid Earl humbly conceiveth, and is adviſed by his Councel, with humble ſubmiſſion to your Lordſhips Judgements, that there is no particular charge of high Treaſon declared, by any Overt act, certainly Alledged in the ſaid Articles, nor any other Crime therein ſo certainly Alledged, and ſet down, that the ſaid Earl can any way take iſſue thereupon, or make Anſwer, or his juſt and lawful Defence thereto; and the ſaid Earl by proteſtation alſo ſaith, that it never entered into his Heart, to Incroach any Regal power to himſelf by any ways or means whatſoever, much leſs by Treating in Matters of War and Peace with any Forreign Prince, or Embaſſador in his the ſaid Earls own Name, if it be ſo meant by the ſaid Articles; but if it be meant by the ſaid Articles, that the ſaid Earl ſo treated in His Majeſties Name, (as he hopeth it is), or gave Inſtructions to His Majeſties Embaſſadors abroad, without communicating the ſame to the Secretaries of State, and the reſt of His Majeſties Councel, and againſt the Expreſs Declaration of His Majeſty and His Parliament, if any particular inſtance thereof had been laid down in the ſaid Articles, the ſaid Earl could have given a particular account thereof; and the ſaid Earl by proteſtation alſo ſaith, that whatſoever the ſaid Earl acted in ſuch Affaires, was by the Advice and Privity of His Majeſties Councel and Secretaries of State, or by His Majeſties own Expreſs command or directions, if perhaps the ſame were not made known to the Councel or Secretaries of State; the ſaid Earl alſo, by proteſtation ſaith, that he never indeavored any Subverſion of the Government, nor had he ever any ſuch Deſign as in the Articles

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is Alledged, nor did he continue the Army when raiſed, nor was it in his Power ſo to do, but as the Money granted by Parliament for disbanding the Army came into His Majeſties Exchequer, the ſaid Earl being then Lord Treaſurer, ſigned Warrants for payment of the Money, and every part of it, over to the Pay-maſter general to be paid for his Disbanding of the ſaid Army, and took Receipts of him Accordingly, as likewiſe ſecurity from him of 400000 Pounds, according to the intent and meaning of the Act of Parliament in that behalf, as by the ſaid Warrants, Receipts and Security it doth and may appear; whereby the ſaid Earl did all that in him lay, that the Money ſhould not be misimployed, ſo that no fault can juſtly be imputed to him on that Affair.

The ſaid Earl by Proteſtation likewiſe ſaith, that he never Propoſed or Negotiated for any Peace, for the *French* King on any terms whatſoever, nor had he ever any ſuch Traiterous or Wicked Deſigns, Intents or Purpoſes, as are mentioned; nor did he ever receive any Money at all from the *French* King, or by his directions to or for any purpoſe whatſoever, nor did he ever Attempt or Indeavor to procure any ſum of money whatſoever, either great or ſmall, for the carrying on or maintaining of any ſuch wicked or ill Deſign or Purpoſe, as is charged upon him.

But whatſoever he propoſed or negotiated in any Affairs or Matters, relating to Peace or War, the ſame was with His Majeſties Command, privity and directions, and not otherwiſe, and without any Traiterous or ill Deſign and Purpoſe. The ſaid Earl furthermore by Proteſtation ſaith, that he cannot poſſibly imagine the reaſon, wherefore he ſhould be Popiſhly affected, he having always been educated in, and a Profeſſor of the true Proteſtant Religion Eſtabliſhed in the Church of *England*, and is no way conſcious to himſelf, of his having acted any thing contrary thereto, or tending in the leaſt to the prejudice or ſubverſion thereof, which might give any juſt cauſe of ſuſpition of his being Popiſhly affected, as is alleadged. And as to any concealment of the late Plot and Conſpiracy, againſt His Majeſties Perſon and Government, after he had notice thereof, the ſaid Earl by Proteſtation ſaith, that about the middle of *Auguſt* laſt (which was the firſt time the ſaid E. ever had any the leaſt notice of it, His Majeſty ſent the ſaid Earl ſome Papers, which were ſealed up, and did at the ſame time ſend the ſaid Earl word, that one *Kerby* and Dr. *Tonge* would come and ſpeak with the ſaid Earl about the ſaid Papers, after which His Majeſty expected to hear more of the ſaid matter from the ſaid Earl at *Windſor*, whether he

was then new gone. And within a day or two the ſaid *Kerby*, did bring the ſaid Dr. *Tonge* to the ſaid Earl, and the ſaid Earl ſhewing the Doctor the ſaid Papers, he told the ſaid Earl, that theſe were the ſame Papers he had delivered to the King, who told the ſaid Dr. that he would ſend the ſaid Earl the Papers, and had commanded him the ſaid Doctor, to wait upon the ſaid Earl about the ſame, he the ſaid Doctor alſo told the ſaid Earl, at the ſame time, that the ſaid papers were but Copies, and that the Originals of thoſe Papers, which are in his Cuſtody had been put under the door of his chamber, and that he did not then know who was Author of the Originals, but gueſſed at one who was moſt likely to be the Author, but would not name any Body. In ſome ſhort time after the Dr. came to the ſaid Earl again, with an additional Paper to the former, and then told the ſaid Earl, he had met with the Man he ſuppoſed to be the Author, who had owned himſelf to be ſo, and had given him an additional Paper, of which that he then gave the ſaid Earl was a true Copy, but the ſaid Author would not have his name known, nor his hand ſeen by any, but the Doctor himſelf, becauſe he feared he might be in great danger, if the Jeſuits ſhould know of him. The ſaid Earl then went Immediatly to His Majeſty to *Windſor*, and then gave him an account of what had paſſed, and ſo he the ſaid Earl did as often as Dr. *Tonge*, (with whom only the ſaid Earl had any conference about the matter), gave him any further Information; and doubteth not but His Majeſty out of his Royal Goodneſs and Juſtice, will clear the ſaid Earl in this particular; and the ſaid Earl by further Proteſtation ſaith, that he made ſeveral applications, and was very importunate with His Majeſty, he might have liberty to make known the ſame to others of His Majeſties Councel, but could not obtain liberty ſo to do, wherefore the ſaid Earl his not revealing of ſuch notice to others, ought to be attributed to his duty and not to any favor of Popery, or any other ill intent or deſign whatſoever; and by Proteſtation alſo ſaith, that he had no other notice of the ſaid Plot, then what was afterwards given publickly to the ſaid Earl, and the reſt of His Majeſties Councel together; neither hath the ſaid Earl at any time ſuppreſſed any Evidence, or reproachfully or otherwiſe diſcountenanced the Kings Witneſſes, in diſcovery of the Plot, but on the contrary, was the moſt active Perſon in cauſing the Papers of *Coleman* to be ſeized, whereby great part of the Plot was diſcovered. And the ſaid Earl did deliver all the ſaid Papers to the Privy Councel, and the ſame were tranſmitted thence to the Parliament, where the ſaid Earl conceiveth they now remain;

main; and the ſaid Earl by proteſtation further ſaith, that he believeth neere the ſum mentioned within the ſpace of three Years, though not within the time in the Charge mentioned, hath been iſſued out of His Majeſties Treaſury, upon and by vertue of Privy Seals for ſecret Service; and that upon ſuch Privy Seals, many conſiderable ſums of money have been paid for publick uſes, ſuch payments being oftentimes made, both for ſaving Charge of new Privy Seals, and to ſave a great part of the Fees of the Exchequer, but what part of the ſaid Moneys is meant to be paid for unneceſſary Penſions, the ſaid Earl knoweth not, but by proteſtation ſaith, that all the ſaid Moneys were iſſued out by him by legal Warrant, and according to the uſual courſe in ſuch caſes; and what branch of His Majeſties Revennue was at any time diverted, out of the known Method and Government of the Exchequer, the ſaid Earl knoweth not, he the ſaid Earl during all the time he had the Honor to ſerve His Majeſty, in the Office of Lord high Treaſurer, having taken all the care he could, that all and every Branch of His Majeſties Revennue, ſhould be duly brought into the Exchequer, and iſſued out by Tallies ſtruck in the Ordinary and Uſual manner, as he doubted not but will appear upon Inſpection thereof, and of the Accompts taken thereof, and ſtill remaining in the ſaid Exchequer. And the Earl by proteſtation knoweth not, which of His Majeſties Commiſſioners are meant to have been put out of their Offices, there having been divers Commiſſioners removed, in ſeveral Offices of the Revennue, but ſure he is, that he did not remove or procure any to be removed, for any ſuch Reaſon as is Alledged, but where Commiſſioners were conſtituted by Commiſſion in an Office, during the King pleaſure, as all Commiſſioners for managing any part of His Majeſties Revennue are, if His Majeſty were pleaſed upon any Occaſion, and leave any of the former Commiſſioners out of the new Commiſſion, the ſaid Earl hopeth he hath not any ways Offended therein; and the ſaid Earl by proteſtation further ſaith, that he muſt needs acknowledge, that he ſerved a moſt gratious and bountiful Royal Maſter, who was Gratiouſly pleaſed freely to Confer his Bounty upon the ſaid Earl. Yet the ſaid Earl ſaith, that he hath not during the time of ſerving His Majeſty, in the ſaid Office, gained any ſuch Conſiderable Eſtate, as ſhould Render him ſuſpected of uſing any ill means for the Obtaining of it, many of his predeceſſors in that Office having gained in leſs time, more conſiderable and far greater Eſtates by it, then the ſaid Earl hath, and yet were never Accuſed for uſing any indirect or ill Means, in Obtaining

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or Procuring the ſame. And further the Earl by proteſtation ſaith, that he never uſed any indirect Means whatſoever, nor by any indirect Means procured from His Majeſty, any Guift or Grant whatſoever, nor is he in the leaſt knowing or ſenſible, that he hath Offended againſt any Act of Parliament in that behalf; but for that the ſaid Earl is ſenſible of his own Weakneſs, in the Management of ſo great an Office and Imployment; and that although, he knoweth his Heart to be ſincere, having never Admitted a thought into it, leading either to Treaſon, or any other Crime againſt His Majeſty, the Government, or Religion Eſtabliſhed; yet that he may have Erred out of Ignorance, or want of underſtanding, or ability to manage an Office of ſo great truſt, wherein His Majeſty was pleaſed to place him; and for that he cannot foreſee, what Misinterpretation or ſevere conſtruction may be put upon any of his actions, in a place of ſo great truſt, and chiefly, that he may not ſeem to wave His Majeſties Grace and Favor to him, the ſaid Earl for Plea ſaith, and humbly Offereth to your Lordſhips, as to all and Every the ſaid Crimes, Treaſons, Misdemeanors and Offences contained, or mentioned in the ſaid Articles; that after the ſaid Articles exhibited, namely, the firſt day of *March* now laſt paſt, the Kings moſt Excellent Majeſty by his moſt Gratious Letters Patents of Pardon, under his great Seal of *England*, bearing date at *Weſtminſter* the ſaid firſt day of *March*, in the 31*th*. Year of his Reign, and here into this moſt high and honorable Court produced, under the ſaid great Seal of his Eſpecial Grace, certain knowledge, and meer Motion, hath Pardoned, Remiſed and Releaſed to him, the ſaid *Thomas* Earl of *Danby*, all and all manner of Treaſons, Miſprifions of Treaſons, Inſurrections, Rebellions, Fellonies, Exactions, Oppreſſions, publication of words, Miſprifions, Confederacies, Concealments, Negligences, Omiſſions, Offences, Crimes, Contempts, Misdemeanors and Treſpaſſes whatſoever, by himſelf alone, or with any other Perſon or Perſons, or by any other, by the Command, Advice, Aſſent, Conſent or Procutement, of him the ſaid *Thomas* Earl of *Danby*, Adviſed, Commanded, Attempted, Made, Perpretated, Concealed, Committed or Omitted, before the 27*th*. Day of *February*, then and now laſt paſt, being alſo after the time of the ſaid Articles exhibited; athough the ſaid premiſſes, or any of them did, or ſhould touch, or concern the Perſon of His ſaid Majeſty, or any of his publick Negotiations whatſoever; and His Majeſties affaires with Forreign Embaſſadors, ſent to his ſaid Majeſty, or by not rightly Proſecuting His

Majeſties

Majeſtes inſtructions, and Commands to his Embaſſadors, reſiding on His Majeſties behalf in forreign Parts, and alſo, all and ſingular Acceſſors to the ſaid premiſſes and every of them, although he the ſaid *Thomas* Earl of *Danby*, were or were not of the ſaid Premiſſes, or any of them Indicted, Impeached, Appealed, Accuſed, Convicted, Adjudged, Outlawed, Condemned or Attainted; and all and ſingular Indictments, Impeachments, Inquiſitions, Informations, Exegents, Judgements, Attainders, Outlawries, Convictions, Executions, Pains of Death, corporal Puniſhments, Impriſonments, Forfeitures, Puniſhments, and all other Pains and Penalties whatſoever, for the ſame or any of them, and all and all Manner of Suits, Complaints, Impeachments and Demands whatſoever, which His ſaid Majeſty, by reaſon of the premiſſes or any of them then had, or for the future ſhould have, or his Heirs or Succeſſors, any way could have afterwards againſt him the ſaid *Thomas* Earl of *Danby*. And further His Majeſty willed and granted that the ſaid Letters patents and the ſaid pardon, And alſo ſuit of his Majeſties Peace, and whatſoever to his ſaid Majeſtie, his Heirs or Succeſſors, againſt him the ſaid Earl of *Danby*, did or could belong, by reaſon or occaſion of the premiſſes, or any of them. And His Majeſty hath hereby given and granted, his firm Peace to the ſaid *Thomas* Earl of *Danby*; and further His Majeſty willed and granted, that the ſaid Letters patents, and the ſaid pardon and releaſe therein contained, as to all the things therein pardoned and releaſed, ſhould be good and effectual in the Law; although the Treaſons, Miſpriſions of Treaſons, Inſurrections, Rebellions, Fellonies, Exactions, Oppreſſing, publiſhing of words, Miſpriſions, Confederacies, Concealments, Negligences, Omiſſions, Offences, Crimes, Contempts, Misdemeanors and Treaſons were not certainly ſpecified, and notwithſtanding, the Statute in the Parliament of the Lord *Richard* the Second late King of *England*, in the 14*th*. Year of his Reign, made and provided, and notwithſtanding, the Statute in the Parliament of the Lord *Edward* the Third, late King of *England*, in the 14*th*. Year of his Reign made and provided, or any other Statute, Act or Ordinance to the Contrary thereof, made and provided; and moreover, his ſaid now Majeſty by his ſaid Letters patents of his further Grace, did firmly Command all and ſingular Judges, Juſtices, Officers and Others whomſoever, that the ſaid free and general Pardon of his ſaid Majeſty, and the general words, clauſes and ſentences aboveſaid, ſhould be conſtrued, expounded and adjudged in all His Majeſties Courts,

Courts, and elſe where, in the moſt beneficial Ample and Benign ſenſe; and for the better and more firm Diſcharge of the ſaid Earl of, and from the Crimes and Offences aforeſaid, according to the true Intent of His Majeſty, and in ſuch beneficial Manner and Form, to all intents and purpoſes, as if the ſaid Treaſons, Miſpriſion of Treaſon, Crimes, Offences, Concealments, Negligences, Omiſſions, Contempts and Treſpaſſes aforeſaid, and other the premiſſes by apt Expreſs, and ſpecial words had been remitted, releaſed and pardoned; and that the ſaid Letters patents of pardon, and the releaſe and pardon therein contained, ſhould be pleaded and allowed, in all and every His Majeſties Courts, and before all his Juſtices whoſoever, without any writ of allowance, any matter, cauſe, or thing whatſoever in any wiſe notwithſtanding, as by the ſaid Letters patents themſelves more at large appeareth, which ſaid Letters patents follow in theſe words.

Carolus *ſecundus Dei Gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ Rex, fidei defenſor*, &c. *Omnibus ad quos præſentes Literæ pervenerint ſalutem. Sciatis quod nos pro diverſis bonis cauſis & conſiderationibus ad hæc ſpecialiter movendis, de gratiâ noſtrâ ſpeciali, ac ex certo ſcientia & mero motu noſtris pardonavimus, remiſimus, & relaxavimus; ac per præſentes pro nobis, hæredibus, & ſucceſſoribus noſtris pardonamus, remittimus, & relaxamus, perdilecto & perquam fideli conſanguineo & Conſiliario noſtro Thomæ Comiti Danby, omnes & omnimodas proditiones, Crimina læſæ Majeſtatis, Miſpriſiones proditionum, Inſurrectiones, Rebelliones, Felonias, Exactiones, Oppreſſiones, verborum propalationes, miſpriſiones, confederationes, concelamenta, negligentias, Omiſſiones, Offenſas, Crimina, Contemptus, Mali facta & Tranſgreſſiones quæcunque per ſe ſolum, ſeu cum aliquâ aliâ perſonâ vel aliquibus aliis perſonis aut per aliquam alium ſive aliquos alios ex præcepto, adviſamento, aſſenſu, conſenſu, ſeu procuratione ejuſdem Thomæ Comitis* Danby, *adviſata, præcepta, attemptata, facta, perpetrata, concelata, commiſſa ſive omiſſa ante viceſſimum ſeptimum die Februarii jam ultimo præteritum licet præmiſſa vel eorum aliqua vel aliquod tangunt, vel tangat perſonam noſtram, vel negotiationes noſtras publicas qualeſcunque. nec non tranſactiones noſtras cum forinſecis legatis ad nos miſſis, vel non rite proſequendo Inſtructiones, & mandata noſtra legatis noſtris in partibus extra Marinis ex parte noſtrâ reſidentes; ac etiam omnia & ſingula acceſſarium præmiſſorum & cujuſlibet eorum, licet idem* Thomas *comes* Danby *de præmiſſis vel aliquo præmiſſorum judicatus, impetitus appellatus reſtatus, convictus adjudicatus utlegatus condemnatus vel attinctus exiſtit*

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vel non exiſtit; ac omnia & ſingula indictamenta impetitiones, inquiſitiones, informationes, exigenda, Judicia, attinctationes, ulegationes, convictiones, executiones, pœnas mortis, pœnas corporales, Impriſonamenta, forisfactura, punitiones, & omnes alias pœnas & penalitates quaſcunque, pro eiſdem vel eorum aliquo, & omnia & omnimodas ſectas querelas impetitiones & demanda quæcunque, quæ nos verſus ipſum Thomam *Comitem* Danby *ratione præmiſſorum vel eorum alicujus habuimus, habemus, ſeu in futuro habere poterimus, aut hæredes, ſeu ſucceſſores noſtri ullo modo habere poterint in futuro: Sectamque pacis noſtræ ex quo ad nos, hæredes, & ſucceſſores noſtros verſus ipſum* Thomam *Comitem* Danby *pertinet, ſeu pertinere poterit ratione ſeu occaſione præmiſſorum ſeu eorum aliquorum vel alicujus; ac firmam pacem noſtram & inde damus & concedimus per præſentes: Et ulterius volumus & concedimus, quod hæ literæ noſtræ ac hæc noſtra pardonatio, remiſſio, & relaxatio in eiſdem contenta quoad omnia & ſingula ſuperius pardonata remiſſa & relaxata bona & efficaces in lege ſint & erint; licet proditiones, crimina læſæ Majeſtatis, Miſpriſiones proditionum inſurrectiones, Rebelliones, Feloniæ, Executiones, Oppreſſiones, verborum propalationes, miſpriſiones, confederationes, concelamenta, negligentiæ, omiſſiones, offenſæ, crimina, contemptus malefacta & Tranſgreſſiones antedictæ, minus certe ſpecificata exiſtunt; & non obſtante ſtatuto in Parliamento Domini* Richardi *Secundi nuper Regis Angliæ, Anno Regni ſui tridecimo edicto & proviſo; & non obſtante ſtatuto in Parliamento Domini* Edvardi *tertii nuper Regis Angliæ, Anno Regni ſui 14 edicto & proviſo, aut aliquo alio ſtatuto, actu, vel ordinatione in contrarium inde edicto & proviſo; & ulterius de uberiori gratia noſtra firmiter præcipimus omnibus & ſingulis judicibus, Juſtitiariis, Officiariis, & aliis quibuſcunque quod hoc plus libera & generalis pardonatio noſtra, & generalia verba, clauſulæ, & ſententiæ ſupradictæ, conſtruenter exponenter, & adjudicenter in omnibus curiis noſtris & alibi in beneficentiſſimo, ampliſſimo, & benigniſſimo ſenſu; & pro maxima & firmiori exoneratione prædicti* Thomæ *Comitis* Danby *de & à criminibus & offenſis prædictis ſecundùm verum intentionem noſtram & in tam beneficiali modo & forma, ad omnes intentiones & propoſita prout ſi prædictæ proditiones, crimina læſæ Majeſtatis, Miſpriſiones proditionum, crimina, offenſæ, concelamenta, negligentiæ, Omiſſiones, contemptus, & tranſgreſſiones prædictæ ac cætera præmiſſa de apta expreſſa, & ſpecialia verba, pardonata, remiſſa & relaxata fuiſſent: Et quod hæ literæ patentes, & remiſſio, relaxatio, & pardonatio noſtra in eiſdem contenta, in quibuſcunque curiis noſtris, & coram quibuſcunque Juſtitiariis noſtris per-*

licentes

licenter & aliocenter ſive aliquo libri de Alienatione, aliquâ re, cauſa, vel materia quacunque in aliquo non obſtante : In cujus rei teſtimonium has literas noſtras fieri fecimus patentes, teſte meipſo apud Weſtmin. primo die Martii, Anno regni noſtri tri-ceſſimo primo.

And the ſaid Earl doth aver, that he the ſaid *Thomas* Earl of *Danby* in the ſaid Articles named, is the ſame *Thomas* Earl of *Danby* in the ſaid Letters patents of pardon here produced, likewiſe named, which pardon the ſaid Earl doth Rely upon, and pleadeth the ſame in Bar of the ſaid Impeachment, and in Diſcharge of all the Treaſons, Crimes, Misdemeanors and Offences, contained or mentioned in the ſaid Articles of Impeachment, and every of them; and this he the ſaid Earl is ready to aver, whereupon he humbly prays the Judgement of your Lordſhips, and that His Majeſties moſt Gratious pardon may be allowed, and that he the ſaid Earl by vertue thereof, may be from all the ſaid Articles of Impeachment, and all and every the Treaſons and Crimes therein Alledged againſt him, acquitted and diſcharged.

Danby

The Lord *Bellaſis* being brought to the Bar, and kneeling, he was bid to ſtand up, was told, that whereas he hath put in a Plea, and a plea and Anſwer, as Argumentive and Evaſive, and to which the Commons cannot Reply. The Lords do not give any Opinion one way or other in the caſe, But if he think fit to mend his Plea, he may, but the Houſe expects ſuch an Anſwer, as he will abide by and ſtand to.

After this he withdrew, and being called in again, was told he could have but one Plea depending in Court, and if he will ſtand by the Plea he hath put in, he may, otherwiſe he may put in a new Plea and withdraw the former.

Upon this *John* Lord *Bellaſis* put in another Anſwer, and his former Anſwer was redelivered him,

Whereas *John* Lord *Bellaſis* Priſoner in the *Tower* for Treaſon, and other high Crimes, Misdemeanors and Offences, of which he ſtands Impeached by the Houſe of Commons, was this day brought to the Bar, to put in his Anſwer to the ſaid Impeachment, and there deſired, that Mr. *Holt* Councellor at Law may be Added to the Councel formerly Aſſigned to him; it is thereupon Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that Mr. *Holt* be and is hereby Aſſigned to be of Councel for the Lord *Bellaſis* in like manner, and for the like purpoſes, as the other Councel formerly deſired on his Lordſhips behalf were Aſſigned.

The

The ſaid Anſwer was read as followeth.

The humble Anſwer of John *L.* Bellaſis, *now Priſoner in the* Tower *of* London, *to the Articles of Impeachment of high Treaſon, and other high Crimes and Offences exhibited againſt him, the ſaid Lord* Bellaſis *and others to the Lords Spiritual and Temporal in Parliament, by the Knights, Citizens and Burgeſſes in Parliament Aſſembled, in the names of themſelves and of all the Commons of* England.

This Defendant ſaving and reſerving to himſelf, all advantages and Benefit of exception to the generality, incertainty and other unſufficiencies of the ſaid Articles, of which he humbly prays, that notice may be taken, and a juſt regard may be had by your Lordſhips.

He ſaith, that he is not Guilty of all, or any of the matters by the ſaid Articles of Impeachment charged againſt him, in manner and form as they are charged againſt him; and for his Tryal, he humbly putteth himſelf upon his Peers.

Bellaſis.

A Meſſage was ſent to the Houſe of Commons, by Sir *Timothy Baldwyn* and Sir *John Hoskins*, to communicate to them the Plea and Anſwer of *Thomas* Earl of *Danby*, and the Anſwer of *John* Lord *Bellaſis*, delivered in this day at the Bar in Perſon, with this deſire, that the Original Anſwers may be returned with convenient ſpeed.

It is Ordered, that the Lieutenant of the *Tower* of *London*, be and is hereby required, to bring *William* Earl of *Powis*, *William* Viſcount *Stafford*, and *Henry* Lord *Arundel* of *Warder*, now Priſoners there to the Bar of this Houſe, to morrow at Ten a Clock in the Forenoon.

Die Sabbati 26 April 1679.

THis day theſe Ls. following, took the Oathes of Allegiance & Supremacy, and made and ſubſcribed the Declaration, in purſuance of the Act, for the more Effectual preſerving

ſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

Edward Viſc. *Conway.*
Henry D. *Newcaſtle.*

Ordered. That the Amendments in the Bill for clearing the City of *London*, and parts Adjacent from *Popiſh* Recuſants, be taken into conſideration further on *Tueſday* Morning, in a Committee of the whole Houſe.

The Earl of *Powis*, Viſcount *Stafford*, and the Lord *Arundel* of *Warder*, being brought to the Bar, and kneeling, and then bid ſtand up were told, that the Houſe of Commons had taken Exceptions to their Anſwers, as Argumentive and Evaſive, to which the Commons cannot Reply.

The Lords do not give any Opinion one way or other in the Caſe, but if they think fit to mend their Pleas they may, if they inſiſt on them they may, but the Houſe expects ſuch Anſwers as they will abide by and ſtand to.

After this, they withdrew, they are called in again, and told they can have but one Plea depending in Court, and if they will ſtand by the Plea they have put in they may, otherwiſe they may put in new Pleas and withdraw the former.

After this the Earl of *Powis*, Viſcount *Stafford*, and the Lord *Arundel* of *Warder* put in their Anſwers, and their former Anſwers were redelivered them.

Then the ſeveral Anſwers were Read as followeth.

The humble Anſwer of William *Earl of* Powis, *now Priſoner in the* Tower *of* London *to the Articles of Impeachment of high Treaſon, and other high Crimes and Offences, Exhibited againſt the ſaid Earl and Others, to the Lords Spiritual and Temporal in Parliament Aſſembled, in the name of themſelves and of all the Commons of* England.

This Defendent ſaving and reſerving to himſelf, all Advantages and Benefit of Exception, to the Generality, Incertainty, and other Inſufficiencies of the ſaid Articles, of which he humbly prays, that Notice may be taken, and a juſt Regard may be had by your Lordſhips.

He ſaith, that he is not guilty of all, or any of the Matters by the ſaid Articles of Impeachment charged againſt him, in

in manner and form as they are charged againſt him; and for his Trial he humbly putteth himſelf upon his Peers.

Powis

The humble Anſwer of William *Viſcount of* Stafford, *now Priſoner in His Majeſties* Tower *of* London, *to the Impeachment of high Treaſon, and other high Crimes and Misdemeanors exhibited againſt him and others, to the Right honorable the Lords Spiritual and Temporal in Parliament, by the Knights Citizens and Burgeſſes in Parliament Aſſembled, in the Name of themſelve and of the Commons of* England.

The ſaid Viſcount ſaving to himſelf all Advantage and Benefit of Exceptions, to the Generality, Incertainty, and Inſufficiency of the ſaid Impeachment, moſt humbly beſeeching their Lordſhips thereof, to take due Notice, and thereunto at all times to have a juſt Regard, he Anſwereth, and ſaith, he is not guilty of all or any of the Offences charged againſt him by the ſaid Impeachment; and for his Trial humbly and willingly putteth himſelf upon his Peers, no way doubting, but by the Grace of God and their Lordſhips impartial Juſtice, he ſhall make his Innocence appear, all which he humbly ſubmitteth unto their Lordſhips further Conſideration.

Stafford

The humble Anſwer of Henry *Lord* Arundel *of* Warder, *now Priſoner in the* Tower *of* London, *to the Articles of Impeachment of high Treaſon, and other high Crimes and Offences exhibited againſt him, the ſaid Lord* Arundel *and Others, to the Lords Spiritual and Temporal in Parliament Aſſembled, the Knights Citizens and Burgeſſes in Parliament Aſſembled, in the name of themſelves and of all the Commons of* England.

This Defendant ſaving and reſerving to himſelf, all Advantages and Benefit of Exception to the Generality, Incertainty, and other Inſufficiencies of the ſaid Articles, of which he humbly prays, that Notice may be taken, and a juſt Regard may be had by your Lordſhips.

He ſaith, he is not guilty of all or any the Matters by the ſaid Articles of Impeachment charged againſt him, in man-

ner and form as they are charged againſt him; and for his Trial, he humbly putteth himſelf upon his Peers.

Henry Arundel.

A Meſſage was ſent to the Houſe of Commons, by Sir *Miles Cooke*, and Sir *John Hoskins*, to communicate to them the ſeveral Anſwers of the Earl of *Powis*, Viſcount *Stafford*, and the Lord *Arundel* given in this day at this Bar by the Lords in Perſon.

Upon reading the Petition of *Frances* Counteſs of *Portland*, ſhewing that in the laſt Parliament, ſhe by Petition complained to this Houſe of Proceedings had againſt her in 1674, contrary to Priviledge of Parliament, whereby ſhe was Indicted and Convicted of Recuſancy, praying now, that ſhe may be relieved againſt the ſaid proceedings, and have the favorable Aſſiſtance of this Houſe to His Majeſty, for the perfecting of his Royal pardon granted unto her for the ſame, after Conſideration had thereof; it is Ordered that the Clerk of the Parliament look out, and have in Readineſs the Proceedings of this Houſe upon the former Petition of the ſaid Counteſs of *Portland*, againſt *Tueſday* next, at Ten of the Clock in the Forenoon.

Die Lunæ 28. *Aprilis* 1679.

THis day *Heneage* Lord *Finch*, Lord Chancellor of *England*; and *John* Earl of *Bridgewater* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration againſt Tranſubſtantiation, purſuant to the Act made in the 25*th*. Year of His now Majeſties Reign, for preventing the Dangers, which may happen from *Popiſh* Recuſants, their Witneſſes being firſt ſworn at the Bar, did prove the truth of their Reſpective certificates, concerning their receiving of the Sacrament of the Lords ſupper.

This day *Thomas* Lord *Windſor* did take the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

The Houſe was put into a Committee to Conſider of the Bill, for the better ſecuring of the Liberty of the Subject, the Houſe was reſumed.

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The Earl of *Bridgewater* Reported, that the Committee which was appointed to prepare this Bill for the Committee of the Houſe, had Reported ſeveral Amendments to the ſaid Bill, and the Committee being now poſſeſt thereof, deſires that a day may be appointed for the Houſe to receive the Report thereof; and that the Lord who Reported the Amendments to the Committee, may have leave to Offer ſome other Conſiderations to the Houſe, which was agreed to and appointed *Wedneſday* next for that Buſineſs.

A Meſſage was brought from the Houſe of Commons by the Lord *Ruſſel* and Others, to acquaint their Lordſhips, that the Houſe of Commons have paſſed a Vote, wherein they deſire their Lordſhips Concurrence, the ſaid Vote was Read as followeth.

Reſolved *Nemine Contradicente.*

That the Duke of *Yorks* being a *Papiſt*, and the hopes of his coming ſuch to the Crown, has given the greate ſt Countenance and Incouragement to the preſent Conſpiracies and Deſigns of the *Papiſts*, againſt the King and the *Proteſtant* Religion.

Ordered that the Debate of this Meſſage be taken up on *Wedneſday* next.

A Meſſage was brought from the Houſe of Commons by Sir *Francis Wenningtom* and Others, to return the Pleas and Anſwers of *Thomas* Earl of *Danby*, and to deſire that their Lordſhips would ſend for the Earl of *Danby* to this Bar, to know of him whether he will rely upon and abide by the Plea of his Pardon.

Hereupon it is Ordered, that the Leiutenant of the *Tower* of *London*, be and is hereby required to bring *Thomas* Earl of *Danby* now a Priſoner there to the Bar of this Houſe, to Morrow at Eleven of the Clock in the Forenoon.

The Earl of *Clarendon* Reported an Information, which was brought before the Lords Committees for Examinations, and read as followeth.

Middx. & Weſt. The Information of *Titus Oats*, Dr. in Divinity taken in Obedience to the Lords Order of the Committee, for the diſcovery of matters relating to the diſcovery of the late horrid Conſpiracy, before me *Edmund Warcup* Eſquire, one of His Majeſties Juſtices of the Peace in the ſaid County, City, and Libertier, this 26 Day of *April* 1679.

This Informant ſaith, that the Perſon called Sir *William Andrews* of *Eſſex* hath been a Collector of Moneys for the uſe of the Jeſuits, in Order to their carrying on this horrid Conſpiracy againſt His Majeſties Royal Perſon, and Government, as hath appeared to this Informant by ſeveral Letters ſubſcribed *William Andrews*, which this Informant hath ſeen and read in *London*, and at St. *Omers*, in one of which Letters to *London*, he gave an account of five hundred and od Pounds collected by way of ſuffrage, and put into a ſure hand, as the ſaid Letter expreſſed for the uſe of the Jeſuits, whom he therein aſſured, that One thouſand pound more would be ſuddainly collected, and prayed their Order for the returning this money for *London*; and this Informant further ſaith, that the ſaid Sir *William Andrewes*, was known to this Informant by the Name of *Leverſtock*, and in the laſt ſum received a Commiſſion from the Provincial of the Jeſuits, *viz*. *Thomas Whitebread*, by the hands of *William Irland*, authorizing him to be a Collonel, or ſome other Officer in the Army then intended to be Raiſed, for the carrying on the ſaid horrid Conſpiracy, and with his own hand ſigned a Receipt for the ſaid Commiſſion, by the Name of *Leverſtock*, and wrote the Receipt, which Receipt was the ſame hand writing with the other Letter ſigned *William Andrews*, and further at preſent this Informant ſaith not.

Jurat die & anno ſupra dict. *Titus Oats*
Coram me Ed. Warcup

Upon Report made from the Lords Committees, for Examining matters relating to the diſcovery of the late horrid Conſpiracy, that their Lordſhips have received Information upon Oath, that Sir *William Andrews* now Priſoner in the *Gate-houſe* at *Weſtminſter*, is ingaged in the Conſpiracy againſt His Majeſties Perſon and Government; it is thereupon Ordered, that the Keeper of the *Gate houſe* aforeſaid, be and is hereby required to take care, that the ſaid Sir *William Andrews* be forthwith conveyed, and ſafely delivered into the *Tower* of *London*, there to remain a Priſoner till he ſhall be diſcharged by due courſe of Law, and for ſo doing this ſhall be a ſufficient Warrant.

This Houſe being moved, that Mr. *Edward Hubberd*, *alias Hubert*, and Mr. *John Bird* may be permitted to ſollicit, and take care of the Management of ſuch Matterrs as concern *William* Earl of *Powis*, now Priſoner in the *Tower*; it is thereupon Ordered, that the ſaid *Edward Hubberd alias Hubert*, and

and *John Bird* be and are hereby Aſſigned to the ſaid Earl of *Powis*, for the ſolliciting and management of ſuch matters relating to the ſaid Earl of *Powis*, as his Lordſhip ſhall intruſt them with in Order to his Trial.

Whereas Sir *Peter Forteſcue*, and Dame *Amy* his Wife, wereby Order of the 10th inſtant appointed to put in their Anſwer in writing on the the firſt day of *May* next, to the Petition and Appeal of *William Noy*, and others depending in this Houſe againſt them, whereof they had no Notice till the 21*th*. Inſtant, being then above Two hundred Miles diſtant from *London*, as by their Petition and the Affidavit annexed appeareth, and therefore they pray a longer time for the purpoſe aforeſaid, their ſollicitor and writings being then in *Cornwal*, and not yet come to *London*, upon conſideration had thereof; it is Ordered, that the ſaid Sir *Peter Forteſcue* and Dame *Amy* his Wife, have hereby further time given them for putting in their ſaid Anſwer in writing, till *Thurſday* the 15*th*. Day of *May* next, at Ten of the Clock in the Forenoon.

Die Martis 29. *Aprilis* 1679.

A Meſſage was brought from the Houſe of Commons by Sir *John Trevor* and others, to return the Original Pleas of the Earl of *Powis*, Viſcount *Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and Lord *Bellaſis*.

This day *Thomas* Earl of *Danby* was brought to the Bar, and having kneeled, the Lord Chancellor by direction of this Houſe told him, that their Lordſhips have received a Meſſage from the Houſe of Commons, to deſire their Lordſhips to ſend for him, to know whether he will rely upon and abide by the Plea of his pardon, to which the Earl of *Danby* ſaid, this Queſtion was new to him, and of very great Importance, and did not know what Anſwer to give at preſent, therefore deſired ſome time to Adviſe on it, and being demanded what time, he deſired till this day ſeven Night; then the Earl of *Danby* being withdrawn, the Houſe Ordered that he ſhould have till *Saturday* next, upon which his Lordſhip being called in again, the Lord Chancellor told him, that in Regard he ſales this Matter was new to him and of great Importance,

the Lords have given him till *Saturday* to Adviſe therein, and then to give in his Anſwer.

The Houſe was put into a Committee, to conſider of the ſeveral Amendments in the Bill, for clearing the City of *London* and Parts adjacent from *Papiſts*, and the chief point now in Queſtion was, whether the Oathes of Allegiance and Supremacy ſhall be inſerted in the ſeveral Places of the Bill, where the Declaration is mentioned, which is reſolved to be inſerted, to which the Houſe agreed, and Ordered the Bill to be ingroſſed accordingly.

Upon reading the Petition of *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis*, ſhewing, that in Order to their Defence upon their Trials, they have ſent for from beyond the Sea, *Chriſtopher Townely*, *Henry Hall*, and *Daniel Gifford*, being very material Wineſſes, which Witneſſes are impriſoned upon ſuppoſition of being Prieſts, as in the Petition is Alledged, and praying that they may be diſcharged from their impriſonment; it is Ordered that the Warrants by which the ſaid *Chriſtopher Townely*, *Henry Hall*, and *Daniel Gifford* were committed to Priſon, ſhall be brought before this Houſe to Morrow, at Ten of the Clock in the Forenoon.

It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that neither the Earl of *Powis*, Viſcount *Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and Lord *Bellaſis*, nor any of them, ſhall ſend for any Perſon or Perſons from beyond the Seas, to be uſed as Witneſſes upon their reſpective Trials, unleſs they ſhall firſt give in the name or names of ſuch Perſon or Perſons to be allowed of by this Houſe.

Upon reading the Petition of *Francis* Counteſs of *Portland*, praying that this Houſe would be pleaſed to interceed to His Majeſty, for perfecting his Royal pardon granted to her, for her being convicted of Recuſancy in the Year 1674, which Conviction a Steward of hers taking Advantage of to her prejudice, upon a Trial for a Conſiderable ſum of money of hers detained by him; it is thereupon Ordered, that the Lord Privy Seal, and Viſcount *Faulconbergh* do Attend His Majeſty, humbly to move him from this Houſe, that His Majeſty will be gratiouſly pleaſed to give Order for the perfecting of his ſaid Royal pardon granted to her, which by reaſon of the late change made in the Management of His Majeſties Treaſury, now ſtoppeth for want of a Docket, to be iſſued

by

by the Commiſſioners of the ſaid Treaſury, without which the ſaid Pardon cannot Regularly be perfected.

This day the ſeveral Indictments, whereby *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis* were found Guilty of high Treaſon, by the Grand-Jury before the Juſtices for the County of *Middleſex*, ſitting at *Weſtminſter*, on the third Day of *December* 1678, were brought into this Houſe by Vertue of His Majeſties Writs of *Certiorari* for that purpoſe iſſued.

Die Mercurii 30. *April.* 1679.

THis day His Majeſty Sitting in his Royal Throne, Adorned with his Crown and Regal Robes and Ornaments, the Peers being alſo in their Robes, commanded the Gentleman Uſher of the Black Rod, to give notice to the Houſe of Commons, that they preſently attend His Majeſty, the Commons being come with their Speaker, His Majeſty was pleaſed to make the ſhort Speech following.

My Lords and Gentlemen,

The Seaſon of the year advancing ſo faſt, I thought it neceſſary to put you in mind of Three particulars.

1. *Proſecution of the Plot.*
2. *Disbanding of the Army.*
3. *Providing a Fleet for our Common Security.*

And to ſhew you, that whilſt you are do-

ing your parts; my thoughts have not been misimployed, but that it is my constant care to do every thing that may preserve your Religion, and secure it for the future in all events; I have Commanded my Lord Chancellor several particulars, which I hope will be an Evidence, that in all things that concerns the publick security, I shall not follow your zeal, but lead it.

Then the Lord Chancellor spake as followeth,

My Lords, and you the Knights Citizens and Burgesses of the House of Commons,

That Royal Care which His Majesty hath taken for the General quiet and satisfaction of all his Subjects, is now more evident by these new and fresh instances of it, which I have in command to open to you.

His Majesty hath considered with Himself, that 'tis not enough your Religion and Liberty is secure during his own Reign, but he thinks he owes it to his People, to do all that in him lyes, that these Blessings may be transmitted to your posterity, and so well secured to them, that no succession in after ages may be able to make the least alteration.

And therefore His Majesty, who hath often said in this place, that he is ready to consent to any Laws of this kind, so as the same extend not to alter the descent of the Crown in

a right line, nor to defeat the ſucceſſion, hath now commanded this to be further explained.

And to the end it may never be in the power of any Papiſt, if the Crown deſcend upon him to make any change, either in Church or State; I am commanded to tell you, that His Majeſty is willing, that Proviſion may be made, firſt to diſtinguiſh a Popiſh from a Proteſtant Succeſſor, then ſo to limit and circumſcribe the Authority of a Popiſh Succeſſor, in theſe caſes following, that he may be diſabled to do any harm.

Firſt, in reference to the Church, His Majeſty is content that care be taken, that all Eccleſiaſtical and Spiritual Benefices and promotions in the guift of the Crown, may be conferred in ſuch manner, as we may be ſure the incumbents ſhall always be of the moſt Pious and Learned Proteſtants; and that no Popiſh Succeſſor while he continues ſo, may have any Power to controul ſuch preſentments. In reference to the ſtate and Civil part of the Government, as it is already provided, that no Papiſt ſhall ſit in either Houſe of Parliament, ſo the King is pleaſed, that it be provided too, that there may never want a Parliament when the King ſhall happen to dye, but that the Parliament then in being may continue indiſſolvable for a competent time, or if there be no Parliament in being, then the laſt Parliament which was in being before that time, may reaſſemble and ſit a competent time without any new Summons or Elections.

And as no Papiſt can by law hold any place of Truſt, ſo the King is content that it may be further provided, that no Lords or others of the Privy Councel, no Judges of the Common Law

or

or in Chancery, ſhall at any time during the Reign of any Popiſh Succeſſor be put in, or diſplaced, but by the Authority of Parliament, and that care alſo be taken, that none but ſincere Proteſtants may be Juſtices of the Peace.

In reference to the Military part, the King is willing, that no Lord Lieutenant, or Deputy Lieutenant, nor no Officer in the Navy during the Reign of any Popiſh Succeſſor be put in or removed, but either by Authority of Parliament, or of ſuch Perſons the Parliament ſhall intruſt with ſuch Authority.

'Tis hard to invent another reſtraint to be put upon a Popiſh Succeſſor, conſidering how much the Revenue will depend upon conſent of Parliament, and how impoſſible it is to raiſe Money without ſuch conſent, but yet, if any thing elſe can occur to the Wiſdom of the Parliament, which may further ſecure Religion and Liberty againſt a Popiſh Succeſſor, without defeating the right of Succeſſion its ſelf, His Majeſty will moſt readily conſent to it.

Thus watchful is the King of all your ſafeties, and if he could think of any thing elſe, that you do either want or wiſh to make you happy, he would make it his buſineſs to effect it for you.

God Almighty long continue this Bleſſed Union, between the King and his Parliament and People.

Ordered, that on *Saturday* Morning next this Houſe be put into a Committee, to proceed in conſideration of the Bill for the better regulating of the Tryals of the Peers of *England*.

The Houſe was Adjourned into a Committee during pleaſure, to conſider of the Amendments in the Bill for the better ſecuring the liberty of the ſubject, the Houſe was Reſumed, and the Earl of *Bridgewater* Reported, that the Committee

mittee of the Houſe have been in Conſideration of the Bill, concerning the liberty of the ſubject, wherein they have made ſeveral amendments, and the Opinion of the Committee is, that the Bill is fit to paſs with theſe amendments; the ſaid Amendments were read twice and agreed to, and the laſt reading of this Bill to be on Friday next.

Die Veneris 2. *May* 1679.

THis day *John Manners De Haddon* Chevalier was introduced after the uſual manner in his Robes.

But before his Lordſhip took his place, he took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more Effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

This day *Ford* Lord *Grey* of *Werk* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration of Tranſubſtantiation, purſuant to the Act made in the 25 Year of His now Majeſties Reign, for preventing the Dangers, which may happen from *Popiſh* Reculants, his Witneſſes being firſt ſworn at the Bar, did prove the truth of the Certificate, concerning his Lordſhip receiving the Sacrament of the Lords ſupper.

Hodie tertia vice lecta eſt Billa, an Act for the better ſecuring the Liberty of the Subject, and for preventing of Impriſonment beyond the Seas.

The Queſtion being put, whether this Bill with the Amendments now read ſhall paſs, it was reſolved in the Affirmative.

A Meſſage was ſent to the Houſe of Commons by the Lord Chief Juſtice of the Common Pleas, and Mr. Juſtice *Atkins* to return the Bill for the better ſecuring the liberty of the Subject, and for preventing of impriſonments beyond the Seas, in which the Lords have made Amendments, and deſire the Concurrence of the Houſe of Commons thereto.

Hodie tertia vice lecta eſt Billa, An Act from freeing the City of *London* from Popiſh Inhabitants.

The queſtion was propoſed, whether this Bill ſhall be amended.

Then

Then this previous queſtion was put, whether this queſtion ſhall now be put, and it was reſolved in the negative.

Then the queſtion was put, whether this Bill ſhall paſs, it was reſolved in the Affirmative.

Diſſentientibus.

Becauſe this Houſe hath ſent down a Bill to the Houſe of Commons, for the better diſcovery and ſpeedy conviction of Popiſh Recuſants, wherein the conviction of Recuſancy was, for refuſing the Teſt and not the Oathes, the ſame Bill was ſent down from this Houſe about the end of the laſt Parliament.

As alſo, becauſe there are Thouſands of diſſenters, that will be faithful even to death againſt the Common Enemy the Papiſts, which by the addition of the Oathes to the Teſt, may be tempted to think themſelves in intereſt obliged to take the Papiſts part againſt us.

Shaftesbury Pr.	*Kent.*	*Derby.*	*Huntington.*
Berkley	*Stamford*	*Delamer*	*Chandos.*

Ordered, That on *Monday* next this Houſe will take into conſideration, whether the Lords Spiritual are to Vote in judicature in caſes of Blood, or upon Bills of Attainder.

Upon Report made by the Earl of *Clarendon*, from the Committee for Examining Matters relating to the diſcovery of the late horrid conſpiracy, that their Lordſhips had Examined *William Osborne* and *Thomas Lane*, late Servants to Mr. *Titus Oates*, as alſo *Thomas Knox*, who had tampered and practiced with them to take off Mr *Oates*'s Teſtimony, which appearing to their Lordſhips to be a matter of great conſequence, and fit to be communicated to the Houſe of Commons; It is Ordered, that the Clerk attending the ſaid Committee, is hereby appointed to deliver to ſome of the Members of the Houſe of Commons, the Examinations taken by their Lordſhips in this caſe.

Upon Reading the Petition of *Elizabeth* Counteſs of *Powis*, complaining of ſome Perſons not named, entring into her Houſe in *Lincolns-Inn Fields* the laſt night, about 12 of the Clock with Staves and Halberds, and forcing her to undertake for the forth coming of her Servants this Morning, which proceeding ſhe conceiveth to be againſt the Priviledge of Peerage; It is thereupon Ordered, that the Earl of *Craven* be, and is hereby deſired to inquire into the matter of Fact com-

complained of, and to give this Houſe an account by what Authority it was done.

A Meſſage was ſent to the Houſe of Commons by Sir *William Beverſham* and Sir *Edward Low*, to deliver a Bill to them intituled an Act, for freeing the City of *London* and parts adjacent from Popiſh Inhabitants, which the Lords have paſſed to, which the Lords deſire the Concurrence of the Houſe of Commons.

A Meſſage was brought from the Houſe of Commons by Sir *John Trever &c.* who ſaid the Commons had paſſed a Bill, Intituled an Act for granting a Supply to His Majeſty of 264620 *l.* 17. 03*d.* for paying off, and diſbanding the Forces raiſed, ſince the 29*th* day of *September* 1677. to which Bill the Commons deſire their Lordſhips Concurrence.

Die Veneris 2. *May.* 1679.

THe Lord Chamberlain of His Majeſties Houſe-hold Reported, that he and the Lord Mainard have Attended His Majeſty with the Addreſs of this Houſe, concerning *Edmond Warcup* Eſquire, to which His Majeſty was pleaſed to give this gracious Anſwer, that he hath a very good Opinion of Mr. *Warcup*, and is ſo well ſatisfied with the good ſervice done by him, that His Majeſty will be ready to gratifie him in any Imployment, that the ſaid Mr. *Warcup* can reaſonably pretend to, or that ſhall occur to His Majeſties own thoughts for Mr. *Warcups* Advantage.

Ordered, that the Lieutenant of the *Tower* of *London*, be and is hereby required to bring *Thomas* Earl of *Danby*, now Priſoner there to the Bar of this Houſe to Morrow at Ten of the Clock in the Forenoon.

Die

Die Sabbati 3. *May* 1679.

THen *Thomas* Earl of *Danby* was brought to the Bar, and having kneeled, the Lord Chancellor asked him for his Anſwer, whether he will rely upon, and abide by the Plea of his pardon, to which his Lordſhip gave this Anſwer; the Plea I have put in was put in by the Advice of my Councel, who tell me that my Pardon is good in Law, and Adviſe me to inſiſt upon my Plea put in, which I now do, and deſire that my Councel may be heard to make out the Validity of my Pardon, and that Serjeant *Barrel* and Mr. *Pollexfeu* may be Added to the Councel, formerly Aſſigned to me.

Upon Requeſt made by the Earl of *Danby* this day at the Bar, that Serjeant *Barrel* and Mr. *Pollexfeu* may be Aſſigned to be of Councel for him; it is Ordered that Serjeant *Barrel* and Mr. *Pollexfeu*, be and are hereby Aſſigned to be of Councel for *Thomas* Earl of *Danby*, now Priſoner in the *Tower*, together with the Councel formerly Aſſigned to him, in Order to his Defence upon his intended Trial.

Whereas, upon complaint made to this Houſe, and Report made by the Earl of *Craven*, it appears that *Anthony Wells* Conſtable, and *George Palfrey*, and *Mathew Rutter Headboroughs* with others Entered the Houſe of the Counteſs of *Powis* in *Lincolns-Inn*-Fields, on the firſt inſtant about Midnight, who Misbehaved themſelves there, as in the Petition of the ſaid Counteſs of *Powis* is ſuggeſted; it is thereupon Ordered, that the ſaid *Anthony Wells*, *George Palfrey*, and *Mathew Rutter*, be and are hereby required to appear at the Bar of this Houſe, to give an account of their ſo doing, on *Monday* the 5*th*. of this inſtant *May*, at Ten of the Clock in the Forenoon, whereof they may not fail at their Perils.

A Meſſage was ſent to the Houſe of Commons, by the Lord Chief Juſtice of the Common Pleas and Judge *Atkins*, to Communicate to them the Earl of *Danbys* Anſwer given this Day.

Die

Die Lunæ 5. May 1679

A Meſſage was brought from the Houſe of Commons by Mr. *Thynne* and Others, to deſire that their Lordſhips, that they would ſit ſome time, that they may bring up ſome Buſineſs of great Importance, the Anſwer returned was, that their Lordſhips will ſit a convenient time.

The Houſe being made acquainted by the Gentleman Uſher of the Black Rod, that the Speaker with the Commons was at Door with his Mace, the Houſe directed the Lord Chancellor to ſit on his Woolſack and Receive them.

The Speaker with the Commons being come up to the Bar, (But the Mace was not Advanced) ſaid,

My Lords,

The Knights Citizens and Burgeſſes in Parliament Aſſembled, are come up to demand Judgement in their own names, and in the names of all the Commons of *England*, againſt *Thomas* Earl of *Danby*, who ſtands impeached by them before your Lordſhips of high Treaſon, and diver; high Crimes and Misdemeanors, to which he hath pleaded a pardon, which pardon the Commons conceive to be Illegal and Void, and therefore they do demand Judgement of your Lordſhips accordingly.

Ordered. That this Houſe will take this Demand into Conſideration to morrow Morning, and all the Judges and Mr. Attorney General are to Attend this Houſe.

Whereas *Anthony Wells* Conſtable, *George Palfrey* and *Mathew Rutter Headboroughs*, appearing this day at the Bar for Entering the Houſe of the Counteſs of *Powis*, on the firſt inſtant about Midnight, pleaded that they had an Order of Seſſions for a General ſearch, and did not know that Houſe to be a Peers Houſe, being but lately come into their Offices, and Begging pardon for their Offence given, it is Ordered, that the ſaid *Matthew Wells*, *George Palfrey* and *Matthew Rutter*, ſhall forthwith Attend the Counteſs of *Powis*, and Beg her pardon for the ſaid Offence.

The Lord Privy Seal Reported the Effect of the Conference with the Houſe of Commons, concerning the Amendments made by their Lordſhips in the Bill, for the better ſecuring the Liberty of the ſubject, which was Managed by Sir *Thomas Meers*,

Meers, who ſaid the Amendments are very many, which are a ſign your Lordſhips are careful to make ſo uſeful a Bill accurate.

And then his Lordſhip ſhewed, wherein the Commons did agree with their Lordſhips, and wherein they did not.

The ſaid ſeveral Amendments were read, and after ſome Debate thereof, the further Conſideration was Adjourned to ſome other time, as the Houſe think fit to Reſume it.

Die Lunæ 5. *May Poſt Meridiem* 1679.

IT is this day Ordered, that all Licences granted by this Houſe to any *Papiſt* or Reputed *Papiſt* to come to and ſtay in Town, be and are hereby declared to be void, and that all ſuch Perſons as are concerned therein, are required to take Notice hereof, and forthwith yield Obedience to His Majeſties Royal Proclamation, dated the fourth inſtant concerning *Popiſh* Recuſants to leave and depart the Cities of *London* and *Weſtminſter* accordingly; and it is further Ordered, that this Order be forthwith printed and publiſhed.

Ordered. That to morrow Morning this Houſe will take into Conſideration, whether the Lords Spiritual are to give their Vote in Judicature in caſes of Blood, or upon Bill of Attainder, as a Preliminary to the demand of the Speaker of the Houſe of Commons, concerning the Earl of *Danby*.

Die Martis 6. *May* 1679.

A Meſſage was brought from the Houſe of Commons by Mr. *Treby* and Others, that the Knights Citizens and Burgeſſes in Parliament Aſſembled, having Exhibited Articles of Impeachment of high Treaſon, and other high Crimes and Offences againſt *William* Earl of *Powis*, *William* Viſcount *Stafford* *William* Lord *Petre*, *Henry* Lord *Arundel* of *Wardor*; and *John* Lord *Bellaſis*; to which the ſaid Lords have pleaded

pleaded not Guilty, he ſaid he was commanded by the Knights, Citizens and Burgeſſes, that they will and are ready to make good the ſaid Articles and Charge againſt thoſe Lords.

After Debate of this Meſſage, the Queſtion was propoſed, whether the five Lords in the *Tower*, (*viz.*) *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis* ſhall be brought to their Trials upon the Impeachment againſt them this day ſeven Night.

This previous Queſtion was put, whether this Queſtion ſhall be now put, it was Reſolved in the Affirmative.

Then the maine Queſtion was put. (*viz.*)

Whether the five Lords in the *Tower*, (*viz.*) *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis* ſhall be brought to their Trials upon the Impeachment againſt them this day ſeven Night, it was Reſolved in the Affirmative.

Whereas the Earl of *Danby* hath Adheered to his Plea, and prayed to be heard by his Counſel to make good the Validity of his Pardon, and whereas the Commons have by their Speaker in proper perſon demanded Judgment againſt the ſaid Earl, as Concieving his Pardon to be illegal and void; it is Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that *Saturday* next is appointed for the hearing of the Earl of *Danby* to make good his ſaid Plea.

Ordered. That *Weſtminſter* Hall is appointed to be the place for hearing of the Earl of *Danby*, to make good the Plea of his Pardon before this Houſe with a Lord high Steward, and after for Trial of the five Lords impeached in like manner.

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lords with white Staves do Attend His Majeſty, to let him know from this Houſe, that they have appointed to hear the Earl of *Danby*, to make good the Plea of his pardon to the Articles of Impeachment againſt him, on *Saturday* next in *Weſtminſter* Hall; and that the Earl of *Powis*, Viſcount *Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and the Lord *Bellaſis*, are to be brought to their Trials in *Weſtminſter* Hall, upon the Impeachment againſt them on *Tueſday* next, and humbly to deſire His Majeſty, that he will be pleaſed to appoint a high Steward for the purpoſes aforeſaid, to continue during the ſaid Trials.

A Meſſage was ſent to the Houſe of Commons by Judge *Atkins*, and Judge *Dolben* to acquaint them, with the two Orders made concerning the Earl of *Danby* and the five Lords in the *Tower*, and to let them know, that the Lords have appointed an Addreſs to be preſented to His Majeſty, for Naming a Lord high Steward, as well in the caſe of the Earl of *Danby*, as for the Trials of the other five Lords Priſoners in the *Tower*, and that the ſame ſhall be in *Weſtminſter* Hall.

Ordered. That it be and is hereby recommended to the Lords of His Majeſties Privy Councel, to take into Conſideration of the preſent Condition of the Kingdom of *Ireland*, in this time of imminent danger, and to give Order, that *Proteſtant* Merchants may be permitted, and licenſed to carry Arms, as Merchandize into the Kingdom of *Ireland*, for the uſe only of the *Proteſtants* there, who are unfurniſhed.

Die Mercurii 7. May 1679.

THe Lord Viſcount *Newport* Reported, that he waited on His Majeſty with the deſire of this Houſe, that he would appoint a Lord high Steward for the Trial of the Earl of *Danby*, and the five Lords in the *Tower*; and His Majeſty returns this Anſwer, that he will appoint a Lord high Steward by *Saturday* next.

The Lord Privy Seal reported, that he and Viſcount *Faulconbergh* have moved His Majeſty, on the behalf of the Counteſs of *Portland*, and His Majeſty ſaith, he will give Order for the perfecting of the pardon to the ſaid Counteſs, according to the Addreſs of this Houſe.

The Houſe reſumed the Debate which was Yeſterday, whether the Lords Spiritual are to Vote in Judicature in caſes of Bloud, or upon Bills of Attainder, and after a long Debate, the Queſtion was propoſed, whether this Houſe ſhall be Adjourned till to morrow Morning.

Then this previous Queſtion was put, whether this Queſtion ſhall be now put, it was reſolved in the Affirmative.

The maine Queſtion being put, whether this Houſe ſhall be now Adjourned till to morrow Morning, it was Reſolved in the Affimative.

Die

Die Jovis 8. *May* 1679.

Charles Fitz Charles Earl of *Plymouth*, and *Oliver* Earl of *Bolingbrooke*, took the Oaths of Allegiance and Supremacy, and made and subscribed the Declaration, in pursuance of the Act for the more Effectual preserving of the Kings Person and Government, by disabling *Papists* from sitting in either House of Parliament.

This day *Anthony* Earl of *Shaftesbury*, Lord President of His Majesties Councel, *Arthur* Earl of *Anglesey*, L. Privy Seal, and *George* Viscount *Hallifax* took the Oaths of Allegiance and Supremacy, and made and subscribed the Declaration against Transubstantiation, pursuant to the Act made in the 25*th*. Year of His now Majesties Reign, for preventing the Dangers which may happen from *Popish* Recusants, their Witnesses being first sworn at the Bar, did prove the truth of their Certificates, concerning their Lordships receiving the Sacrament of the Lords Supper.

Upon reading the Petition of *Thomas* Earl of *Danby*, praying that the Order of this House of the 6*th*. Instant made in his case, which he suggesteth to be defective, as to the assistance of his Councel in Defence of his Plea may be explained, it is Ordered, that the Councel of the said Earl of *Danby* are to attend with him, and be heard in his said Defence.

Ordered. That Sir *Bryan Broughton*, Sir *Thomas Whitgrave*, Mr. *Thomas Kennersly*, Mr. *Ralph Lawson*, Mr. *Thomas Abnel*, Mr. *William Paulet*, *Nathaniel Caulkin*, *Elizabeth Eld*, *Ann Eld*, *Thomas Perry*, *James Jones*, Mr. *Ralph Phillips*, Parson of *Tixhal*, Mr. *Sambeech*, Mr. *Thomas Astley*, Mr. *Goodard* Servant to the Bishop of *Litchfield* and *Coventry*, *Thomas Sayer*, Mr. *Richard Gerrard* of *Hillerson*, *John Proctor*, *Thomas Helbowes*, *John Pallet* of *Ridgely*, *Walter Collins* of *Stafford*, *Thomas Parker*, *Thomas Winter*, *John Menter*, *Anthony Landracy*, *William Parker*, *Anthony Cooke*, *James Baylie*, *John Joseph*, *Peter Carpenter*, *William Bradford*, *Elizabeth Silleyer*, *Edward Wood*, *John Minny*, *Thomas Andrewes*, be and are hereby required to appear before the House of Peers in *Westminster* Hall, to give Evidence of what they know or can say, on the behalf of *William* Earl of *Powis*, *William* Viscount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellasis*, or any of them, in their making their Defence upon their respective

Trials, on *Tueſday* next, being the thirteenth of this inſtant *May*, and ſuch times after as the ſaid Trials ſhall continue.

The Earl of *Clarendon* Reported, from the Committee of Examinations, that *William Harcourt* the Jeſuit is taken, and is now in the hands of the Officer that took him; it is Ordered, that the ſaid *William Harcourt* be brought to this Bar preſently, and Mr. *Oats* and Mr. *Bedloe* to be then alſo preſent.

The Houſe took into Conſideration the Amendments in the Bill, for the better ſecuring the Liberty of the Subject.

And as to the Amendment in the *4th. Sk.* and *3d.* Line, after (Committeth. Add (or in ſuch other Court where the Offence is properly cognizable) the Queſtion being put, whether to inſiſt upon this Amendment, it was Reſolved in the Affirmative.

Die Jovis 8. *May* 1679. *Poſt Meridiem.*

A Meſſage was brought from the Houſe of Commons by Sir *Chriſtopher Mulgrave*, to deſire a Conference concerning the Matter of their Lordſhips laſt Meſſage ſent to them, concerning the Trials of the Earl of *Danby* and the five Lords in the *Tower*.

2. To put their Lordſhips in minde of a Bill ſent from the Houſe of Commons, for the better ſecuring of the Liberty of the Subject.

The Queſtion was put, whether to give a preſent Conference with the Houſe of Commons in the painted Chamber, it was reſolved in the Affirmative.

The anſwer returned was, that this Houſe will give a Conference as is deſired, and appoint the ſame to be preſently in the painted Chamber.

The Houſe was Adjourned during pleaſure, and the Lords went to the Conference, which being ended, the Houſe was Reſumed.

Then the Lord Preſident Reported the Effect of the Conference, which was, that the Commons ſuppoſe your Lordſhips intend, in all the proceedings upon the Impeachments now depending before your Lordſhips, to follow the uſual Courſe and Methods of Parliament, and the Commons cannot apprehend, what ſhould induce your Lordſhips to Addreſs to His Majeſty for a Lord high Steward, in Order to the determining

determining the Validity of the Pardon, which hath been pleaded by the Earl of *Danby* to the Impeachmenr of the Commons; as alſo for the trial of the other five Lords, becauſe the Commons conceive the conſtitution of a high Steward, is not neceſſary, but that Judgement may be given in Parliament upon Impeachment without a high Steward.

There being ſeveral other Matters contained in your Lordſhips Meſſages, touching the Trials of the Lords impeached, which if not ſetled, may Occaſion ſeveral Interruptions and Delays in the Proceedings, the Houſe of Commons do therefore propoſe to your Lordſhips, that a Committee of both Houſes be nominated, to conſider of the moſt proper Ways and Methods of Proceedings, upon Impeachments of the Houſe of Commons, according to the Uſuage of Parliament, that thereby theſe Inconveniences may be avoided.

After a long Debate, the Queſtion was put, whether to Agree with the Deſires of the Houſe of Commons at the Conference, to have a Committtee of both Houſes to Conſider of the Manner of the Trials of the Lords; it was Reſolved in the Negative.

Diſſentientibus

Finch C.	*Arlington*	*Huntingdon*	*Bedford.*
Clare	*Eſſex*	*Clarendon*	*Derby.*
Newport	*Stafford*	*Salisbury*	*Delemer.*
R. Eure	*Rockingham*	*Halliſax*	*Pagget.*
F. Wharton	*Grey*	*Lovelace,*	

William Harcourt was brought to this Bar, and Mr. *Oats* did charge *William Harcourt*, that he was a Jeſuit, and was made Rector of *London*, and was at the Conſultation in *London* about *Aprill* was Twelve-Month, about the Conſpiracy againſt His Majeſty and Government; whereupon the Houſe made this following Order.

Whereas *William Harriſon* alias *Harcourt*, was this Day brought to the Bar, and was there charged with high Treaſon; it is Ordered, that the Gentleman Uſher of the Black Rod Attending this Houſe, do take ſpecial Care forthwith, to convey the ſaid *William Harriſon* alias *Harcourt* in ſafety to *Newgate*, there to remain a Priſoner, till he ſhall be diſcharged by due Courſe of Law, and for ſo doing, this ſhall be a ſufficient Warrant.

Die Veneris 9. May 1679.

CHarles Lord *Willoughby De Parham* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration in purſuance of the Act, for the more Effectual preſerving of the Kings Perſon and Government, by diſabling *Papiſts* from ſitting in either Houſe of Parliament.

A Meſſage was brought from the Houſe of Commons by Sir *Patience Ward* and Others, who ſaid he was commanded by the Knights, Citizens and Burgeſſes of the Houſe of Commons, to put their Lordſhips in mind of the Meſſage by them ſent, to deſire their Concurrence to the Vote following,

Die Dominico, 27. April, 1679.

REſolved *Nemine Contradicente*, that the Duke of *York* being a *Papiſt*, and the hopes of his coming ſuch to the Crown, has given the greateſt Countenance ſince and Incouragement to the preſent Conſpiracies, and Degns of the *Papiſts* againſt the King and the *Proteſtant* Religion.

The Houſe took into further Conſideration, the Amendments the Bill concerning the more Effectual ſecuring the Liberty of the Subject, and having gone over the Amendments, It is Ordered to communicate their Lordſhips Reſolutions, at a Conference preſently, to the Houſe of Commons, and the Lord Preſident, Lord Privy Seal, and the Lord *Wharton* were appointed to draw up, what is fit to be Offered at the Conference.

This day *Henry* D. of *Newcaſtle* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration againſt Tranſubſtantiation, purſuant to the Act in the 25*th*. Year of His now Majeſties Reign, for preventing the Dangers which may happen from *Popiſh* Recuſants, his Witneſſes being firſt ſworn at the Bar, did prove the truth of the Certificate, concerning his Lordſhips receiving the Sacrament of the Lords Supper.

A Meſſage was ſent to the Houſe of Commons by Sir *John Coell*, and Sir *Samuel Clark*, to deſire a preſent conference concerning the amendments in the Bill, concerning the better ſecuring the liberty of the ſubject.

The

The Houſe was Adjourned during pleaſure, and the Lords went to the Conference, which being ended, the Houſe was Reſumed.

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwyn* and Sir *John Hoskins*, to deſire a preſent conference in the Painted Chamber, touching the Subject matter of the firſt Conference, with them yeſterday in the Forenoon.

That which is to be ſaid at the Conference is, that the Lords do not agree with the Houſe of Commons for a Committee of both Houſes, becauſe they do not think it conformable to the Rules and Orders of proceedings of this Court, which is and ever muſt be tender in matters relating to Judicature.

The Lord Privy Seal Reported, that the Managers had delivered at the Conference what they were directed.

Die Veneris 9. May. Poſt Meridiem. 1679.

THe Houſe took into conſideration, in what manner the Lords are to go into *Weſtminſter Hall* to morrow, and the Orders made upon the Tryal of the Earl of *Pembrook* were read, and it was agreed, and Ordered, the ſame Orders of Proceedure ſhould now be obſerved, and that the Eldeſt Sons of the Nobility do go next after the Judges, before the Maces that go before the Barons.

Ordered, that upon any incident that ſhall fall, at the Tryal of the Earl of *Danby* to Morrow in *Weſtminſter Hall*, the Lords are to reſort to the Houſe for Debate and Conſideration.

Ordered. That the Lieutenant of the *Tower*, be and is hereby required to bring *Thomas* Earl of *Danby*, now Priſoner there to the Bar of this Houſe in *Weſtminſter* Hall, to Morrow at Ten of the Clock in the Forenoon.

Ordered. That the L. *G*. Chamberlain be deſired, to take ſtrict Care by his under Officers, that the Seats appointed for the Houſe of Commons in *Weſtminſter* Hall be kept clear, from all other Perſons whatſoever, that are not Members of the Houſe of Commons, and that his Lordſhip direct that Papers be poſted up in all convenient Places, warning all Perſons not being Members of the Houſe of Commons, that they preſume not to ſet upon any of the Seats in *Weſtminſter*

Hall, appointed for the Members of the House of Commons, during any time of sitting of the House of Peers there, and that they cause all such Persons as shall do the contrary to be forthwith removed.

It is this day Ordered, that this House doth put off Hearing or Receiving any private Business, till such time, as the publick Business now before them, relating to the Hearings and Trials of the Lords now Prisoners in the *Tower* be dispatched.

Die Sabbati 10. *May* 1679.

A Message was brought from the House of Commons by Sir *Robert Carr* and others, to let their Lordships know, that the House of Commons have made an Address to be presented to His Majesty, wherein they desire their Lordships Concurrence, the same Address was read and agreed to, with the Addition of the Words, Lords Spiritual and Temporal.

Which Address followeth.

We your Majesties most Loyal and Dutiful Subjects, the Lords Spiritual and Temporal in Parliament Assembled, taking notice of the great resort of the Multitude of Jesuits, Popish Priests, and other Popish Recusants to the Cities of *London* and *Westminster*, and parts adjacent, and their Obstinate continuance there, in contempt of your Majesties Laws and Royal Proclamations, in pursuance thereof, and considering the great dangers that may ensue thereby, especially at this time, of the approaching Tryals of the Popish Lords, now Prisoners in the *Tower*, in whose behalf some desperate attempts may be made for the prevention thereof, and for the better security of your Majesties Sacred Person, do most humbly beseech your Majesty, that your Majesty will be graciously pleased to give Order, that the *Militia* of *London* and *Westminster*, and *Southwark*, and the *Tower* Hamlets, and the Counties of *Middlesex* and *Surrey*, may be immediatly raised and put into a Posture of defence, in such proportions and for such time, as your Majesty shall think fit.

The

The Anſwer returned was, that this Houſe unanimouſly Agrees with the Houſe of Commons in this Addreſs to His Majeſty.

Upon reading the Petition of the Earl of *Danby*, ſhewing that he is now Attending according to their Lordſhips Order, and Expected to have Met his Councel aſſigned by their Lordſhips, for the Defence of his Plea; but he hath received a Meſſage from every one of them, that they dare not appear to argue for him, by Reaſon of a Vote of the Houſe of Commons paſſed Yeſterday, whereby the Petitioner is deſtitute of all Councel, and is thereby totally diſabled of making his Legal defence, therefore prayeth relief and direction herein.

It is Ordered, that this Petition be communicated to the Houſe of Commons at a Conference, and to know of them whether they have made any ſuch Vote.

A Meſſage was ſent to the Houſe of Commons by Sir *John Coel*, and Sir *Timothy Baldwin* to deſire a preſent Conference in the painted Chamber, concerning a Petition received from the Earl of *Danby*.

A Meſſage was brought from the Houſe of Commons by Mr *Titus &c.* That the Houſe of Commons pray a Conference, upon the ſubject Matter of the laſt Conference.

The Anſwer returned was, that this Houſe agree to a Conference as is deſired, and appoints the ſame to be preſently in the painted Chamber.

Then the E. of *Sarum* Reported the Effect of the Conference, (*viz.*)

That for Anſwer of the laſt Conference, the Managers of this Conference were commanded by the Houſe of Commons, to ſay to your Lordſhips, that your Lordſhips do not Offer any anſwer, or ſatisfaction to the Commons in their neceſſary propoſals, amicably Offered by way of ſuppoſition, that they might have been confirmed therein by their Anſwer from your Lordſhips, that your Lordſhips do intend in all the Proceedings upon the Impeachments now depending before your Lordſhips, to follow the uſual Courſe and Methods of Parliaments.

And further, that your Lordſhips have not given the leaſt Anſwer or Satisfaction to the Commons, concerning your Lordſhips Addreſſing to the King for a high Steward, though the Commons propoſed their deſire of ſatisfaction in that Matter, in as cautious Terms as could be, on purpoſe to avoid all diſputes about Judicature.

The Commons to avoid all Interruptions and Delays, in the Proceedings againſt the Lords impeached, and the Inconveniences

olences that may Ariſe thereby, having propoſed to your Lordſhips, that a Committee of both Houſes might be nominated, to conſider of the moſt proper Ways and Methods, of Proceedings upon Impeachments (your Lordſhips without any Reaſon aſſigned ſave only that you ſay, that you do not think it conformable to the Rules and Order of the Proceedings of this Court,) have refuſed to agree with the Houſe of Commons, in appointing a Committee though not heretofore denied to the Commons, when asked, upon the like Occaſion, and at this time deſired purpoſely to avoid diſputes and delays.

And therefore, the Houſe of Commons have commanded us to acquaint your Lordſhips thus, upon your Anſwers they cannot proceed in the Trials of the Lords, before the Methods of Proceedings be adjuſted between the two Houſes.

After a long Debate hereof, the Queſtion was put, whether a Committee of this Houſe ſhall be appointed to Meet with a Committee of the Houſe of Commons, to confer about the Methods and Forms of Proceedings, in Order to the Trial of the Lords, it was Reſolved in the Negative.

The Meſſengers ſent to the Houſe of Commons, to deſire a Conference upon the Earl of *Danbys* Petition, return with this anſwer, that the Commons will give a Conference, as is deſired.

The Houſe was adjourned during pleaſure, and the Lords went to the Conference, which being ended, the Houſe was Reſumed; the Lord Privy Seal Reported, that the Managers have acquainted the Houſe of Commons with the Petition of the Earl of *Danby*, and told them, this Houſe did deſire to know of them, whether they have made any ſuch Vote.

Ordered. That the Clerk of the Parliament, ſhall of courſe iſſue out ſuch Orders, for ſummoning ſuch Perſons, as the Lords, who are Priſoners in the *Tower*, or any of them, ſhall from time to time ſend in the Names of, to be ſummoned appear, as Witneſſes to be made uſe of in their Defences, upon their reſpective Trials.

Ordered. By the Lords Spiritual and Temporal in Parliament Aſſembled, that the Lieutenant of the *Tower* do take care, and return the Earl of *Danby* in ſafety thither.

Die

Die Sabbati 10. *May* 1679. *Poſt Meridiem.*

Ordered. That there ſhall be a free Conference with the Houſe of Commons, upon the late Conference they had with this Houſe, concerning the Forms and Methods of Proceedings, to be had at the Trials of the Lords in the *Tower.*

Ordered. That the Managers of the free Conference, are not to enter into any diſpute about Judicature.

Die Dominico 11. *May* 1679.

A Meſſage was ſent to the Houſe of Commons, by Sir *Edward Low* and Sir *Samuel Clerk*, to deſire a free Conference preſently in the painted Chamber, upon the Matter of the late Conference they had with the Lords, concerning the Forms and Methods of Proceedings, for to be had at the Trials of the Lords in the *Tower.*

The Lord Preſident and the Reſt of the Lords, that were Managers Reported, that the Lords asked the Commons, what thoſe Forms and Methods were in reference to the Trials of the Lords in the *Tower*, which they did deſire to Confer about, of which the Commons ſay they were not inſtructed to diſcourſe; becauſe they expected this free Conference was to be concerning a Committee of both Houſes, touching which, their Lordſhips have given them yet no denial, therefore the Commons ſay they muſt reſort to their Houſe for directions therein.

A Meſſage was brought from the Houſe of Commons by Mr. *Thynne* and Others, to deſire a Conference upon the ſubject Matter of the laſt free Conference.

Then the Lord Preſident gave the Houſe an account of the free Conference, with the ſeveral Debates *Pro & Con* on both Sides.

Upon conſideration whereof, it is Ordered, that a Committee of this Houſe ſhall be appointed to Meet with a Committee of the Houſe of Commons, to conſider of propoſitions and circumſtances, in Reference to the Trials of the Lords in the *Tower.*

Then

Then theſe Lords were nominated and appointed a Committee for that purpoſe. (*viz.*)

L. Chancellor	E *Sarum*	Viſc. *Halliſax.*
L. Preſident	E. *Clarendon*	Viſc. *Newport*
L. P. Seal	E. *Eſſex*	L. *Wharton.*
M. *Winton*	E. *Aylesbury*	L. *Holles.*

Their Lordſhips or any five of them to Meet to morrow Morning, at Nine of the Clock in the Inner Court of *Wards*, and have Power to ſend for ſuch Books and Perſons, as they think fit, and to Adjourn from time to time as ſhall be thought fit.

Ordered. That the L. *G.* Chamberlain be deſired to give Order, for the preparing of the Inner Court of *Wards*, fit for a Committee of Lords and Commons to Morrow, at Nine of the Clock in the Forenoon.

A Meſſage was ſent to the Houſe of Commons, by Sir *Edward Low* and Sir *Samuel Clerke*, to let them know, that the Lords have appointed a Committee, Conſiſting of Twelve Lords to joyn with a Committee of the Houſe of Commons, at Nine of the Clock to morrow Morning, in the Inner Court of *Wards*, to conſider of propoſitions and circumſtances, in Reference to the Trials of the Lords in the *Tower*.

Die Lunæ 12. *May* 1679.

THe Houſe being informed by the Earl of *Clarendon*, that Sir *Francis Ratcliffe* is brought to Town, in Cuſtody of the Serjeant at Arms Attending this Houſe; it is Ordered, that the Lords Committees for Examinations of Matters, relating to the diſcovery of the late horrid Conſpiracy, be and are hereby appointed to ſend for, and Examine the ſaid Sir *Francis Ratcliffe*, and Report to this Houſe, and that the Mean time he remain in the ſame Cuſtody he now is.

It being moved, that Mr. *Bedloe* deſired, that two Perſons might be Examined at this Bar, touching ſome words of dangerous Conſequence ſpoken by Mr. *Lawſon*.

Thereupon *Richard Child* was produced, and upon Oath given him at the Bar, depoſed, that Mr. *Henry Lawſon* of St. *Clements* Inn an Attorny, hath often ſaid, that within

ſome

ſome little time, he hoped and did not queſtion, but to have *Oats* and *Bedloe* ſhorter by the Head, for that he did believe, that there were not two ſuch Rogues in the World, and that he could not Imagine a Death could be bad Enough for them, and as for Mr. *Oats*, the ſaid *Lawſon* ſaid, that he was burnt in the Shoulder and hand, and broke out of *Dover* Goal, and further, that nothing ſhould be wanting on his part, to have both Mr. *Oats* and Mr. *Bedloe* hanged within ſome ſhort time, and further the ſaid Mr. *Lawſon* ſaid, that he did verily believe, that there was no Plot, for that Mr. *Oats* and Mr. *Bedloe* were two as perjured Rogues, as ever lived, and that the Lords now in the *Tower*, were Innocent, and ſo were all others as to what was ſworn againſt them, and further, the ſaid Mr. *Lawſon* ſaid, that by Vertue of an Order, which he had in his pocket, he valued not any thing what he ſaid or did, for he feared not any thing what any body could do to him; and further ſaid, that he believed, if there were any true Religion in the World, it was the *Popiſh* Religion, and that if he could but Evade Mr. *Oats* his Teſtimony and Mr. *Bedloes*, then he and his Family ſhould be made for ever.

The Mark of *Richard Childe*

It is this day Ordered, that Mr. *Henry Lawſon*, who is Solicitor for the five Lords in the *Tower*, be and is hereby required to appear at the Bar of this Houſe, to Morrow at Ten of the Clock in the Forenoon.

Ordered. That *William Day* in *Horſe-ſhoe* Court, inſtant, be and is hereby required, to appear at the Bar of this Houſe to Morrow at Ten of the Cluck in the Forenoon, to ſpeak his knowledge concerning ſome words uttered by Mr. *Henry Lawſon.*

Ordered. That Mr. *Dudhal* at the *Queens Head*, be and is hereby required to appear at the Bar of this Houſe, to Morrow at Ten of the Clock in the Forenoon, to anſwer ſuch things as ſhall be then and there Objected againſt him, and hereof he may not fail.

The Lord Preſident Reported, that the Committee of both Houſes appointed to conſider of propoſitions and circumſtances, in Reference to the Tryals of the Lords in the *Tower*, have Met this Morning in the Court of *Wards*, and made an Entrance in this Buſineſs.

The Committee of the Houſe of Commons propoſe, that the Lords would conſider of a longer time for Trials of the Lords in the *Tower*.

This

This propoſition is agreed, to be the laſt thing to be conſidered.

The Commons alſo propoſe, and deſire to ſee the Commiſſion that is prepared, for a L. high Steward at theſe Trials, as alſo the Commiſſion in the Lord *Pembrookes* and the Lord *Morleys* caſes.

To this the Lords Committees ſaid, the high Steward is but Speaker *Pro Tempore*, and gives his Voice as well as the other Lords, this changeth not the Nature of the Court, and the Lords declared they have power to proceed to Trial, though the King ſhould not Name a Lord high Steward.

This ſeemed to be ſatisfaction to the Commons, provided, it were Entered in the Lords Journals, which are Records.

The Commons alſo propoſe and deſire to know, what Reſolution the Lords have taken concerning the Biſhops, being or not being at the Trial of theſe Lords.

The Commons ſay, that in the Earl of *Straffords* caſe, the Lords acquainted the Commons, that the Biſhops intended not to be at the Trial.

The Commons think it neceſſary to know, whether the Lords intend any new Forms in Trials upon Impeachments.

They conceive all Trials upon Impeachments in Parliament, have been by the Temporal Lords only.

Hereupon it is Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Trials of the Earl of *Powis*, Viſcount *Stafford*, Lord *Peire*, Lord *Arundel* of *Warder*, and Lord *Bellaſis* now Priſoners in the *Tower*, which was appointed to begin to morrow Morning in *Weſtminſter* Hall, be and are hereby put off till further Order, and that timely Notice be given to the ſaid Lords of ſuch further day, as ſhall be appointed for that purpoſe.

Ordered. That the Clerk of the Crown do Attend the Lord Chancellor this Afternoon, with Copies of the Commiſſion for L. high Steward, in Order to the Trial of theſe Lds. and alſo, the Commiſſions in the Earl of *Pembrookes* and Lord *Morleys* caſes.

A Meſſage was ſent to this Houſe, by Sir *Samuel Clerk* and Sir *Miles Cook*, to put them in mind of theſe Bills ſent down to them.

1. The Bill for better Diſcovery, and more ſpeedy Conviction of *Popiſh* Recuſants.

2. The Bill for freeing the City of *London* and parts Adjacent from *Popiſh* Inhabitants.

3. The Bill for better ſecuring the Liberty of the Subject, and preventing Impriſonment beyond the Seas.

The

The Houſe was adjourned into a Committee during pleaſure, to proceed further in the conſideration of the Bill, for the better reguſating the Tryals of the Peers of *England*.

The Houſe was Reſumed, and the Earl of *Huntingdon* reported, that the Committee of the whole Houſe have finiſhed the Bill, for the better regulating the Tryals of the Peers of *England*, and think it fit to be ingroſſed with ſome amendments, which are offered to the Conſideration of the Houſe, the amendments were read twice and agreed to, and the ſaid Bill Ordered to be ingroſſed with theſe amendments.

It is declared and Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Office of a High Steward, upon Tryals of Peers upon Impeachment, is not neceſſary to the Houſe of Peers, but that the Lords may proceed in ſuch Tryals, if a High Steward be not appointed according to their humble deſire.

Die Martis 13. May 1679.

THe Houſe being moved, that *James* Lord *Audley*, one of the Peers of this Realm, may have leave to ſtay ſometime in Town, to attend ſome buſineſs of Importance to him, and for that purpoſe may be permitted to come unto His Majeſties Court at *Whitehall*; it is Ordered, that the ſaid Lord *Audley* be and is hereby Authorized, to ſtay in the Cities of *London* or *Weſtminſter*, or either of them, for effecting the ſaid buſineſs, for the ſpace of Thirty days from the date of this Order, and to come to *Whitehall* for that purpoſe, if His Majeſty ſhall be pleaſed to give him licence ſo to do.

The Lord Preſident Reported, that the Committee of both Houſes have met this Morning, and diſcourſed in the firſt place, the matter of a Lord High Steward, and have peruſed former Commiſſions, for the Office of High Steward, and propoſe from the Committee, that the Order being entered in the Journal of the Houſe of Lords (*viz.*) that the Office of a High Steward, upon Tryals of Peers upon Impeachments, is not neceſſary to the Houſe of Peers, but the Lords

may

may proceed in ſuch Trials, if an high Steward be not appointed, according to their humble deſire, there may be a Commiſſion for an high Steward to bear date before the ſaid Orders, ſo as the words in the Commiſſi ns may be thus changed (*viz.*) inſtead of (*Ac pro eo quod Officium ſeneſcalli Angliæ cujus Preſentiæ in hâc parte requiritur ut accepimus jam vacat*) may be inſerted, *Ac pro eo quod proceres & magnates in Parliamento noſtro Aſſemblat nobis humiliter ſupplicaverunt ut ſeneſcallum Angliæ pro hac vice conſtituere dignaremur.*

His Lordſhip further Reported, that in the next place, the Commons propoſed, that they might be ſatisfied in what they propoſed Yeſterday, concerning the Biſhops being preſent at the Trials of the Lords impeached, to which, the Lords making anſwer, that it belongs not to the Commons to be concerned in the conſtituting parts of the Court, upon ſuch Trials, but that the Judgement of this Matter belongs intirely to the Lords, and when they have judged it the Commons cannot alter it, and therefore ſhould not debate it, upon which the Commons acknowledged, that Judgement after Trial is in the Lords, but their Lordſhips are not to give Judgement, unleſs the Commons demand it, and the Commons deſire to know, whether the Lords will proceed in theſe Trials, as their Lordſhips did Antiently; for if the Biſhops ſhould ſit upon theſe Trials they ſhould not demand Judgment, being diſatisfied with their being there, it may be the Commons may proceed by Bill, to which the Lords made Anſwer, that after the Evidence is fully heard, they are bound to give Judgement of Condemnation or Acquittal, but this being a Matter of Judicature, the Lords declared, that they would impoſe ſilence upon themſelves, and debate it no further; the Commons further deſired to know, whether the Biſhops ſhall be allowed to vote upon the Validity of the Pardon of the Earl of *Danby*, account (that) no Preliminary, but the very Eſſence of the Trial.

Which Report being ended, and the firſt part thereof concerning the Lord high Steward agreed to, the Houſe entered into debate concerning the ſecond part thereof, in Relation to the Lords the Biſhops.

After a long debate thereof, the Queſtion was propoſed, whether the Lords Spiritual have a right to ſtay in Court in Capital caſes, till ſuch time as Judgement of Death comes to be pronounced.

Then this previous Queſtion being put, whether this Queſtion ſhall be now put, it was Reſolved in the Affirmative.

Then

Then the main Queſtion was put (*viz.*)

Whether the Lords Spiritual have a Right to ſtay in Court in Capital caſes, till ſuch time as Judgement of Death comes to be pronounced, it was reſolved in the Affirmative.

Die Mercurii 14. *May* 1679.

THe Earl of *Clarendon* Reported an Examination of *Stephen Dugdale*, which was read as followeth.

Middx & Weſt ſs. *The Information of* Stephen Dugdale *of* White-Hall *Gentleman, taken upon Oath this* 13 *Day of* May 1679. *Before me* Edmond Warcup *Eſquire, one of His Majeſties Juſtices of the Peace in the ſaid County and City.*

This Informant ſaies, that Sir *Thomas Whitgrave* of *Bridgeford* in the County of *Stafford* Knight, was a Perſon always applied unto in the *Papiſts* behalf, in Order to their Evading the Puniſhments and Penalties of penal Laws againſt *Papiſts*, and the ſaid Sir *Thomas* to the certain Knowledge of this Informant, did from time to time adviſe the *Papiſts* on thoſe Occaſions, and did as a Juſtice of Peace in the ſaid County in open Seſſions, aſſiſt the *Papiſts* on all Occaſions, and particularly, the ſaid Sir *Thomas* did direct this Informant, to write the Preſentments of the Conſtables for divers quarter Seſſions, and therein to Omit all Preſentments againſt *Papiſts*, and then to make the Conſtables ſet their Names to ſuch Preſentments, and then Sir *Thomas* ſet his Name to the Preſentments, as a Juſtice of the Peace, in Order to their Allowance at the Seſſions, and this courſe this Informant knowes, he practized for above ten Years together, and the ſaid Sir *Thomas*, did alſo labor the Inhabitants to Chooſe the Lord *Stafford* for Steward of the ſaid Town, knowing him to be of the *Romiſh* Religion; and this Informant further ſaith, that the Lord *Aſton* did give divers Sums, or a Sum of Money to the ſaid Sir *Thomas Whitgrave*, for his ſaid Practices and Indeavors in the *Popiſh* behalf of the ſaid County, and this Informant hath been told, and by certain Proofs, doubts not but to make appear, that the ſaid Sir *Thomas Whitgrave* hath lately, fraudulently purchaſed divers *Popiſh* Eſtates to the

value of 40000 pounds at the leaſt, in the ſaid County for very inconſiderable Conſiderations, in his own and others, Names, on purpoſe to defraud His Majeſty of the Eſtates forfeited by Law of ſuch *Papiſts*; and this Informant hath juſt Cauſe to ſuſpect, that the ſaid Sir *Thomas* is *Popiſhly* affected, for that he was acquainted with the Secrets of the *Papiſts*, and particularly with the Orders and Degrees of the *Popiſh* Prieſts, in and abont the ſaid County, and further ſaith not.

Jurat Die & Anno ſupra dict. *Stephen Dugdale*
cor. me Edmond Warcup

The Lord Preſident Reported, that the Lords Committees have met this Morning with the Committee of the Houſe of Commons, and communicated to them the Reſolution of this Houſe given yeſterday, concerning the Lords Spiritual ſitting in Court in capital Caſes, to which the Commons took Exceptions, Objecting, that the Lord high Stewards pronouncing the Judgement of the Court, is in time after all the Lords in the Court have Voted particularly, and conſequently the Lords Spiritual may Vote.

Upon which Report, the Lords explained themſelves, that the meaning of the reſolution paſſed yeſterday, concerning the Lords Spiritual is; that the Lords Spiritual have a Right to ſtay and ſit in Court, till the Court proceed to the Vote of Guilty or not Guilty.

Upon Report made from the Lords Committees for Examinating of Matters, relating to the Diſcovery of the late horrid Conſpiracy, that the Lords have examined *Auguſtine Beltſon*, now a Priſoner in *Newgate*, upon ſuſpition of being a *Popiſh* Prieſt, and that it appears to their Lordſhips at the Committee, that the ſaid *Auguſtine Beltſon* is not a *Romiſh* Prieſt, and that he hath His Majeſties Lycence to go beyond the Seas; it is thereupon Ordered, that the ſaid *Auguſtine Beltſon* be forthwith diſcharged from his preſent Impriſonment in *Newgate*, and this ſhall be a ſufficient Warrant on that behalf.

Ordered. That the Committee for examining Matters, relating to the diſcovery of the late horrid Conſpiracy is revived, and are to ſit to morrow Morning.

Hodie tertia vice lecta eſt Billa, an Act for the better regulating the Trials of the Peers of *England*.

The Queſtion was put, whether this Bill ſhall paſs, and reſolved in the Affirmative.

Before the putting the Queſtion, the Lord *Roberts* deſired leave to enter his proteſtation againſt the paſſing the ſaid Bill, which he did by ſubſcribing his Name.

Roberts

Like

Like leave being given to any others to diſſent.

We alſo diſſent to the ſaid Bill.

Angleſey, *Northampton*, *R. Arundel*; *Bath*:
La War, *Campden*, *Byron*, *Peterborow*,
W. Maynard, *Oſſory*, *Butler*.

Die Jovis 15. *May*. 1679.

THE Earl of *Clarendon* reported from the Committee of Examinations, two Informations brought to them, which they thought fit to acquaint this Houſe with, which Informations were read as followeth.

Middx & Weſt.

ſſ *The Information of* William Johnſon *of* Petty France *Pipe-maker, and* Joſeph Wright *Clerk of the new Chappel in* St. Margarets Weſtminſter, *taken upon Oath the* 15*th day of* May 1679. *before me* Edmond Warcup *Eſq; one of His Majeſties Juſtices of the Peace in the ſaid County and City.*

Theſe Informants ſay, that on *Fryday* the Ninth of *May* Inſtant, one *Jonathan Smith* a Papiſt being in Bed in the Room, where theſe Informants lay, in the Houſe of *Thomas Miles* the Beadle of St. *Margarets* Pariſh, did amongſt other things, after he had owned himſelf to be a Papiſt, and had ſome perſuaſion theſe Informants were of the ſame Religion, utter theſe words following or to the effect following, that he knew that the King was a Papiſt, and the reſt of the Nobles were Papiſts alſo, and that there was hardly one of them but had *Romiſh* Prieſts in their Houſes, and further added, that His Majeſty was as great a Papiſt as any was in the Nation; and he we do think was one, that ſet the Borough of *Southwark* on Fire, and theſe Informants further ſay, that the ſaid *Jona-*

than Smith did then alſo declare, that he durſt not go to *Kingſton* to retire out of Town according to the Kings Proclamation, for that he feared to be known there, in regard he had been tryed for his Life, as a Perſon Guilty of Setting Fire to the ſaid Borough of *Southwark*, and that it coſt the Papiſts an hundred pounds the day of his trial to ſave his Life, beſides the many pounds it coſt the *Romiſh* Church before and after in that Affair, and he further added, that now he had his maintenance from the Lord *Staffords* Houſe, and *Smiths* Uncle, one *Smith* being Steward to the Lord *Stafford*; and this Informant *William Johnſon* further ſaith, that the ſaid *Jonathan Smith*, ſpoke all the ſame things to him on the Eighth day of *May* Inſtant, when in Bed with him, and added that there were two or three honeſt-men, that my Lord *Stafford* had left at his Houſe at *Tart-hall*, beſides his Uncle *Smith*, who was Steward to look after the ſaid Houſe, and this Informant verily believes, that ſome Prieſts or other dangerous Perſons may be there harbored, which this Informant ſuſpects from the diſcourſes aforeſaid, and the ſaid *Jonathan Smith* declared alſo, that he knew Mr. *Bedloe* and that there would be old buſſling when the Lords came to their Tryal; and further ſays not

Jurat die & Anno ſupra d. William Johnſon
coram me Edmond Warcup. Joſeph Wright.

Ordered, that *Edmond Warcup* Eſq; and *Simon Parrey* Eſq; Two of the Deputy Lieutenants of *Middleſex*, be and are hereby authorized and required, forthwith to repair to, and ſearch the houſe belonging to the Lord Viſcount *Stafford*, commonly called or known by the name of *Tart hall*, and to ſeize all ſuch dangerous Perſons or Papers, as they ſhall find there, and give an account thereof to the Lords Committees for Examinations, and for their ſo doing this ſhall be a ſufficient Warrant.

The Lord Preſident Reported, that the Lords Committees have met the Committee of the Houſe of Commons this Morning, and Communicated to them in Writing, the Explanation made by this Houſe Yeſterday of the Vote that paſſed the day before, concerning the right of the Lords Spiritual to Sit in Court in Capital Caſes, to which the Commons urged, that if the pardon of the Earl of *Danby* infer Life and Death, it is the ſame with Guilty or not Guilty, and being deſirous to reduce the buſineſs to a particular, asked whether it were intended by that Vote, that the Lord Spiritual ſhould Vote upon the Pardon of the Earl of *Danby*, in anſwer where-

unto

unto we told them, we had no inſtructions in that point, but would acquaint the Houſe with it.

Ordered, that the debate of this report is adjourned till to Morrow Morning.

Whereas Mr. *Henry Lawſon*, who is Sollicitor for the Five Lords who are Priſoners in the *Tower*, was by Order of the 12*th.* inſtant required to attend at the Bar of this Houſe on *Tueſday* laſt, to anſwer to what was then ſworn againſt him by *Richard Child*, on which *Tueſday* the Houſe was not at leiſure for that purpoſe; it is this day Ordered, that the ſaid *Henry Lawſon*, and the ſaid *Richard Child*, as alſo *William Day* are hereby required to appear before the Lords Committees, for Examining matters relating to the Diſcovery of the late Horrid Conſpiracy, to be by their Lordſhips Examined at ſuch time, as the ſaid Committee ſhall appoint, who are to make report thereof unto the Houſe.

Die Veneris 16. *May.* 1679.

THe Lord Preſident Reported, that the Lords Committees have met the Committees of the Houſe of Commons this Morning, who Communicated to their Lordſhips, that yeſterday they reported to their Houſe the Reſolution of the Houſe of Peers, with the Explanation of it; which the Lords had acquainted them with concerning the Lords Spiritual, upon Conſideration whereof, there Houſe gave them as an Inſtruction to inſiſt, that the Lords Spiritual ought not to have any Vote in any of the Proceedings, upon the Impeachments againſt the Lords in the *Tower*, and the Committee declared, that they know not how to proceed in Capital matters before a new Court.

To which the Lords anſwering, that they had no Inſtructions, power nor allowance from the Houſe, to debate concerning this matter, deſired, that if they had any other propoſals to make, they wou'd do it, and that the Lords were ready to debate them.

To this the Commons Anſwered, that they think it moſt

proper, that the Propoſitions already made ſhould be determined before they make any new ones.

After Conſideration had thereof, the Queſtion was put, whether *Thurſday* next ſhall be appointed to begin the Tryals of the Five Lords, who are Priſoners in the *Tower* (*viz.*) the E. of *Powis*, Viſcount *Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and Lord *Bellaſis*, and it was reſolved in the Affirmative.

After which Reſolution paſſed, the Lords Spiritual asked the leave of the Houſe, that they might withdraw themſelves from the Tryals of the ſaid Lords, with the liberty of entering their uſual Proteſtations.

Ordered, that this Reſolution of the Houſe, and deſire of the Lords Spiritual be Communicated to the Committee of the Houſe of Commons to Morrow Morning.

Die Sabbati 17. May. 1679.

THis day *George* Duke of *Buckingham* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration, in purſuance of the Act for the more effectual preſerving of the Kings Perſon and Government, by diſabling Papiſts from Sitting in either Houſe of Parliament.

This day *Arthur* Earl of *Eſſex* took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration againſt Tranſubſtantiation, in purſuance to the Act made in the *25th.* year of His now Majeſties Reign, for preventing the dangers which may happen to ariſe by Popiſh Recuſants, his Witneſſes being firſt Sworn at the Bar, to prove the truth of his Certificate concerning the receiving the Sacrament of the Lords Supper.

The Lord Preſident Reported, that the Lords Committees have met the Committee of the Houſe of Commons this Morning, and gave them an account of the Reſolution of the Lords paſſed yeſterday, concerning the Tryals of the Lords in the *Tower*, (*viz.*) Earl of *Powis*, Viſcount *Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and Lord *Bellaſis*, and alſo of the deſire of the Lords Spiritual, to withdraw themſelves from the Tryals of thoſe Lords, reſerving the liberty of entering

tering their uſual proteſtation,& delivered to them an Aſſigned Copy of what is Entered into the Journal of the Houſe of Peers, concerning this Matter, which is all they had in Command; to which the Commons anſwered, that the Vote of the Houſe of Commons, which they acquainted the Lords with Yeſterday, extends to the Earl of *Danby*, as well as the ſaid five Lords, whereas the Lords Vote relate only to the five Lords, and therefore they deſire to know what Anſwer the Lords give as to the Earl of *Danbys*; they further objected, that they conceived, that their Vote was to the right of the thing, and that the Biſhops have no right to be at any one Vote in any capital Caſes.

And they conceived the Earl of *Danbys* to be a capital Caſe, as well as the Caſes of the other five Lords, and that if the Biſhops may have leave to withdraw it imploys a right, which if they have, it is a new Court which the Commons cannot Admit of.

The Lords did let them know, that there is no day yet appointed for the Trial of the Earl of *Danby*, and that the Lords Spiritual will be Abſent at all the parts of the Trials of the five Lords, and that the proteſtation they now deſire to enter, will be the ſame as the Earl of *Staffords* Caſe.

Then the Commons ſaid, that they could not proceed to treat of any other propoſals, till ſuch time as this Buſineſs about the Court be ſettled.

Ordered. That the Committee for priviledges are hereby appointed further to ſearch for and conſider preſidents and ways of proceedings, on the Trials and Judicature of Peers, and to Adviſe of directions and methods fit to be obſerved therein, for the preſervation of Order and Regularity in the Trials of the Lords, now appointed, and all Circumſtances uſually occurring in ſuch Trials, and to Report to this Houſe on *Monday* next, and for this end to ſit this Afternoon.

Upon Report made from the Lords Committees for Examinations, that their Lordſhips have examined Mr. *Henry Lawſon*, Solicitor to the five Lords now Priſoners in the *Tower*, upon the Information of *Richard Childe* put in, which he denies to be true; it appearing to their Lordſhips, that he is a Proteſtant, and is aſſigned by this Houſe to ſolicite the Buſineſs of the ſaid Lords; it is Ordered thereupon, that the ſaid *Henry Lawſon*, ſhall forthwith appear before *Edmond Warcup* Eſquire, one of His Majeſties Juſtices of the Peace for the County of *Middleſex* and Liberty of *Weſtminſter*, and into Recognizance to appear, when ever he ſhall be ſummo-

ned, and thereupon be discharged from any further attendance.

Die Lunæ 19. *May* 1679

THis day these Lords following took the Oaths of Allegiance and Supremacy, and made and subscribed the Declaration against Transubstantiation, in pursuance of the Act in the 25*th.* Year of His now Majesties Reign, for preventing the Dangers which may happen from *Popish* Recusants, the Witnesses being first sworn at the Bar, were Examined by the Lord Chancellor, to prove the truth of the Certificates, concerning their Lordships receiving the Sacrament of the Lords Supper.

Robert Earl of *Sunderland.* *John* Earl of *Guilford.*
Thomas Visc. of *Faulconbergh.* *Henry* Bishop of *London.*
John Lord *Roberts.*

The Earl of *Clarendon* Reported, an Information and Examinations from the Committee for Examinations, presented unto them against one *Richard Gerrard*, who is now in Town, being come up by Order of this House to be a Witness for the five Lords in the *Tower*, the Lords Committees refer it to the Judgement of this House, whether upon these Informations and Examinations, the said *Richard Gerrard* should be admitted as a Witness for the five Lords in this case.

The Informations were read as followeth.

Middx. & *West.* ss. *The Information of* Stephen Dugdale *of* White-Hall *Gentleman, taken upon Oath this* 13th. *of* May 1679 *Before me* Edmond Warcup *Esquire, one of His Majesties Justices of the Peace in the said County, City and Liberties.*

This Informant saith, that Richard Gerrard *of* Hinderson *in the County of* Stafford *Esquire, was actually concerned in the late horrid Conspiracy against His Majesty, his Life and Government, and against the* Protestant *Religion, and is a notorious* Papist, *and this Informant knoweth that he was present, and advising*

viſing at ſeveral Meetings with Vanaſar Lawſon, Peters, Gavan, Euers, Broadſtreet, *and ſeveral others, for carrying on the ſaid horrid Conſpiracy; and this Informant further ſaith, that the ſaid* Richard Gerrard *ſubſcribed* 500. *Pounds as his proportion, for carrying on the ſaid Deſign, and hath ſince paid all or the moſt part of the ſaid ſum to Mr.* Euers, *who returned the ſame to Mr.* Harcourt, *in the return whereof this Informant was imployed; and this Informant further ſaith, that the ſaid* Richard Gerrard *was a Truſtee for the Jeſuits, and had ſeveral Eſtates purchaſed in his Name for their uſes, and had ſeveral ſums of the Jeſuits proper Moneys, put out at Intereſt in his Name, and particularly this Informant did Aſſign over an Eſtate to the value of* 400 *Pounds at the leaſt, to the ſaid* Richard Gerrard *by the Jeſuits Order, and in truſt for them, in Order to the carrying on the ſaid Deſign, which Eſtate the ſaid* Richard Gerrard *hath ſince reconveyed to this Informant, acknowledging there was no uſe made thereof, upon the Demand of this Informant, becauſe the Deſign went on no further; and this Informant further ſaith, that he is told and doth believe, that the ſaid* Richard Gerrard *is lately come to this Town, and lodgeth privately in ſome obſcure place privately, in Order to the carrying on the ſaid or other Evil deſigns againſt His Majeſty, and further ſaith not.*

Jurat Die & Anno ſupra d cor. me Edmond Warcup — Stephen Dugdale

Middx. & Weſtmin. ſs. *The Examination of* Richard Gerrard *of* Hinderſon *in the County of* Stafford *Eſquire, taken the* 17th. *Day of* May 1679. *Before me* Edmond Warcup, *one of His Majeſties Juſtices of the Peace in the ſaid County and City.*

This Informant ſaith, that he is wholly Innocent of the late horrid Conſpiracy, againſt His Majeſty and the Government and the *Proteſtant* Religion, nor doth he know any more of any ſuch Plot than common Fame ſpeakes, he confeſſeth he was at a Meeting at *Boſcobel*, where Mr. *Vanaſar*, Mr. *Lawſon*, Mr. *Robert Peters*, and Mr. *Gavan*, Mr. *Euers*, and ſeveral other Gentlemen were preſent, and ſome this Examinant doth not know, and ſaith, that they dyned there being in *Auguſt* laſt, as this Examinant remembers, but this Examinant doth not remember, that Mr. *Broadſtreet* was there, and while they were together, they ſpoke of indifferent things, drank the Kings Healrh and ſo departed; and this Examinant denyeth abſolutely, that he ſubſcribed any ſuch ſome of

500

500 Pound for carrying on the ſaid Deſign, or any other ſum whatſoever, but ſaith, he might pay ſome Money to Mr. *Euers*, but never any conſiderable Sum, but remembereth not the Occaſion for which that Money was paid, but ſaith, it was not for the ſaid Deſign, and this Examinant ſaith, he was a Truſtee between Mr. *Dugdale* and Mr. *Euers*, but for whoſe uſe this Examinant knoweth not, but Mr. *Euers* told Mr. *Dugdale*, he had agreed for a Reverſion of an Eſtate in *York-ſhire*, after *Stephen Dugdales* life, and gave one hundred and thirty Pound for it in hand, and that the Eſtate was aſſigned to this Examinant accordingly, with an Indorſement or Releaſe for four hundred Pound on the Back-ſide of the Deed, and this Examinant being deſirous to be diſcharged of his truſt, did deſire Mr. *Euers* he might deliver the Deeds to him, who received the ſame, and ſent them back to this Examinant, and deſired they might remain in this Examinants cuſtody, till he called or ſent for them, and this Examinant kept them, till an Order came from the Privy Councel to deliver them up, or ſhew cauſe to the contrary, and this Examinant intended to wait on the Councel thereabout, but the Juſtices of the Peace committed this Examinant, for refuſing the Oaths, which hindred this Examinant from going, whereupon this Examinant finding Mr. *Euers* in the Proclamation, thought fit to deliver the Deeds to *Anſel*, according to Order of the Privy Councel dated the 12th. of *February* laſt paſt; and this Examinant further paid the ſaid Moneys to Mr. *Harcourt*, or by what other hand Mr. *Euers* returned the ſaid Moneys to St. *Omers*, this Examinant doth not know; and this Examinant further ſaith, that in Obedience to His Majeſties Proclamation, he did intend to ſend for his three Sons to St. *Omers*, but not knowing who is now ſuperior there, or how to convey any Letter there, without Hazard of this Examinant, he hath hitherto forborn to ſend, but is ſtill ready and deſirous to ſend for them home, if he may know how and with ſafety to do the ſame; and this Examinant further ſaith, that upon further thoughts he might put forth Money at Intereſt, for Mr. *Euers* and Mr. *Vanaſor* in this Examinants name, but what ever Sums were ſo put forth were repaid to them, and whether it were their own Moneys or the Jeſuits, or whoſe, this Examinant knoweth not; and this Examinant ſaith, that he hath known Mr. *John Gavan* about four or five Years, and ſaith that he was reputed to be a *Romiſh* Prieſt, and this Examinant hath heard, that the ſaid Mr. *Gavan* was the Son of a Trades-man in *London*; and this Examinant further ſaith, that there is a Rumor in the Country, of an Indulgence granted

granted at the Year of Jubile laſt paſt, to the *Catholicks* of *England*, that ſaying certain Prayers for the *Catholick* Religion, Extirpation of Hereſie, and Unity of *Chriſtian* Princes, and performing other directions as plenary Indulgence was granted, as if they viſited the holy Places in *Rome*, in the Year of Jubile, which happens but once in 25 Years, but this Examinant knoweth not thereof, and further ſaith not.

Rich Gerrard.

Capt. die & an. ſup. dict.
coram me Edmond Warcup.

Whereas, *Richard Gerrard* Eſq; is charged upon Oath with Treaſon, it is Ordered, that the Keeper of the Priſon of the *Gatehouſe* at *Weſtminſter*, in whoſe Cuſtody the ſaid *Richard Gerrard* now is, be and is hereby required forthwith to take care for the conveying the ſaid *Richard Gerrard* to the Priſon of *Newgate*, there to remain a Priſoner, till he ſhall be diſcharged by due courſe of Law, and for ſo doing this ſhall be a ſufficient Warrant.

Ordered, that the Information of *Stephen Dugdale* Gentleman, taken before *Edmond Warcup* Eſq; one of His Majeſties Juſtices of the peace for the County of *Middleſex*, and liberty of *Weſtminſter* againſt *Richard Gerard* Eſq; who is charged thereby to be Guilty of the late Horrid Conſpiracy, as alſo two Examinations of the ſaid *Richard Gerrard*, taken by the ſaid *Edmond Warcup* be committed to the ſecret Committee of the Houſe.

The Lord Preſident Reported, that the Lords Committees have met this Morning with a Committee of the Houſe of Commons, where the Commons acquainted the Lords, that they had reported to their Houſe the Vote of this Houſe, and the deſire of the Lords Spiritual, which occaſioned the Houſe of Commons to give this further inſtruction to their Committee, (*viz.*) to inſiſt on their former Vote of the Houſe, that the Lords Spiritual ought not to have any Vote in the proceedings againſt the Lords in the *Tower*, and when that matter ſhall be ſettled, and the Method of proceedings adjuſted, their Houſe will be then ready to proceed upon the Tryal of the pardon of the Earl of *Danby*, againſt whom the Houſe of Commons hath already demanded Judgment, and afterwards to the Tryal of the Five Lords in the *Tower*.

Upon which the Lords told them, they had no Authority to debate this matter.

The Commons then further ſaid, that the Lords Reſolution which was Offered, was no anſwer to their propoſition,

which

which comprehended the Earl of *Danby* as well as the Five Lords; beſides, the Lords anſwer was doubtful, for it appears, that the Biſhops asked leave to be abſent, but it appears not that it was granted, then conſequently the Biſhops muſt Sit in Court at the Tryals; the Commons conceive that the Biſhops abſenting themſelves by way of leave, is a ſtrong implication of a right aſſerted, which they cannot allow can ever be maintained, and think there is the ſame reaſon for the Biſhops being abſent from the Tryal, upon the pardon, as at the Tryal of the other Five Lords, and that the naming of a day for the Tryal of the Five Lords, before the Tryal of the Pardon of the Earl of *Danby*, againſt whom the Commons have already demanded Judgment, is the putting that laſt, which they deſire ſhould be firſt.

To which the Lords told them, they were not impowered to debate, but would import theſe matters to the Houſe.

The Commons hereupon replyed, they were ready to go on, and that for want of theſe Tryals all publick buſineſs ſtands ſtill, but the Lords ſeem to lay the ſtop at the Commons door, by naming a day, which they conceive ought not to have been appointed, before the Methods be conſidered; for the Lords have not anſwered the Commons in matter of right, which is neceſſary firſt to be adjuſted, and they deſire your reſolution as to that matter, for they conceive they have no right, and the Lords may as well make the Judges part of their Court, as the Biſhops in this point.

The Commons will give no diſturbance to the Antient Judicature, for they own that to be ſacred, and they conceive they have a right to know, before what Court they ſhall appear, and they hope the Lords will conſider of their having appointed a day, before the Methods be conſidered, and will give them leave to wonder at it.

Ordered, that *Edmond Warcup* Eſq; one of the Deputy Lieutenants and Juſtices of the Peace for the County of *Middleſex*, who by order of this Houſe hath ſearched the Houſe of Viſcount *Stafford*, called or known by the name of *Tarthall*, and ſeized ſome Papers there, do forthwith tranſmit the ſaid Papers to the ſecret Committee of the Houſe of Commons, and for ſo doing this ſhall be a ſufficient Warrant.

The L. P. Seal Reported, that the Committee of priviledges have met and conſidered of the Methods, and Rules to be obſerved at the Tryal of the Five Lords in the *Tower*, which are offerred to the Conſideration of the Houſe.

Ordered, that no Lords of this Houſe ſhall viſit any of the Lords

Lords now Priſoners in the *Tower*, without leave of this Houſe firſt had in that behalf.

Die Martis 20. *May* 1679.

THe Houſe entred into debate of the Report yeſterday from the Committee of both Houſes, and for the more free debate thereof, the Houſe was adjourned into a Committee.

The Houſe being reſumed made this enſuing Order.

It is this day Ordered, that *Tueſday* next being the twenty ſeventh of this inſtant *May*, be appointed for the Tryal of the Five Lords now Priſoners in the *Tower*. (*viz.*) *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis*.

Ordered, that this Houſe will take into Conſideration the Report made from the Lords Committees for priviledges, concerning the Methods of Proceedings to be obſerved, in Order to the Tryals of the Lords now Priſoners in the *Tower* to Morrow Morning the firſt Buſineſs.

It is this day Ordered by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Earl of *Bedford*, Earl of *Suffolk*, and Earl of *Bridgewater* do attend His Majeſty, humbly to deſire him from this Houſe, that His Majeſty will be pleaſed to give Order to the Conſtable, or in his abſence to the Lieutenant of His Majeſties *Tower* in *London*, that they and either of them take diligent care, that the Gates of the ſaid *Tower* may be conſtantly ſhut up at Ten of the Clock at Night, and that no Perſons whatſoever may be ſuffered to paſs into or out of the ſaid *Tower*, after that hour of the Night.

Die

Die Mercurii 21. *May.* 1679.

UPon reading the Report read from the Lords Committees for Priviledges, concerning the Methods of Proceedings to be Obſerved at the Trials of the Lords in the *Tower*: it is Ordered, that the Lords Committees for peruſal of the Journal Book, be and are hereby appointed to make an Abſtract of ſo much thereof, as is neceſſary to be communicated to the Houſe of Commons, the reſt to be for the uſe of the Lord Chancellor, and to Report to this Houſe to morrow Morning.

Whereas, upon the firſt Bill intituled an Act for reviving and continuing of a former Act, intituled an Act for giving leave to buy and export Leather, and Skins tanned and dreſſed; A petition of the Shoo makers and Manufactures in Leather, in and about the City of *London* was this day preſented, and read, praying that they may be heard by their Councel, againſt the reviving of the ſaid Act for exporting of Leather, it is thereupon Ordered, that the Shoo makers and other Manufactures in Leather, ſhall be heard by their Councel at the Bar of this Houſe, on *Monday* the ſecond Day of *June* next, at Ten of the Clock in the Forenoon, what they have to Object againſt the reviving of the ſaid Act.

Whereas there is a Petition and Appeal of *William Ward* and others, and an Anſwer of *Nathaniel Booth* thereunto, depending in this Houſe, it being moved on the behalf of the ſaid *Nathaniel Booth*, that a day may be appointed to hear Councel thereupon; it is Ordered, that this Houſe will hear Councel at the Bar on both parts upon the ſaid Petition and Anſwer, on *Saturday* the 24*th*. of this inſtant *May*, at Ten of the Clock in the Forenoon, whereof the ſaid *Nathaniel Booth* is to cauſe timely Notice to be given to the ſaid *William Ward*, and other Perſons concerned for that purpoſe.

The Earl of *Bedford* Reports, that himſelf and the other Lords have preſented to His Majeſty the humble deſire of this Houſe, that he will give Order to the Conſtable and Lieutenant of the *Tower*, that the Gates of the *Tower* may be ſhut up every Night, at Ten of the Clock, and that no Perſon may be ſuffered to paſs into or out of the ſaid *Tower*, after that Hour of the Night; and his Majeſties Anſwer is, that he will give Order to the Conſtable and Lieutenant of the *Tower* as is deſired.

This Houſe being moved on the behalf of the Lord Viſcount

count *Stafford*, now Priſoner in the *Tower*, that Mr. *Pollexfeu* may be added to the Councel formerly aſſigned to him; it is thereupon Ordered, that Mr. *Pollexfeu* be and is hereby aſſigned to be of Councel for the ſaid Viſcount *Stafford*, together with the Councel formerly aſſigned to him, in Order to his Defence upon his Trial.

Die Jovis 22. *May* 1679.

A Meſſage was brought from the Houſe of Commons by Sir *William Franckłyn* and Others, to acquaint their Lordſhips, that the Houſe of Commons having made an humble Addreſs to His Majeſty, that he will be pleaſed to give Order to the Judges, to iſſue out their Warrants for Executing the ſeveral *Popiſh* Prieſts condemned in the ſeveral Circuits, and His Majeſty having been graciouſly pleaſed to ſignifie to the Houſe of Commons, that your Lordſhips had ſent for them in Order (as he conceived) to ſome Examinations, and the Houſe of Commons being ſo informed, that the ſaid Prieſts have by Order from your Lordſhips, not only been brought out of the ſeveral Countries where they were condemned, but continued yet in *Newgate*, and other Priſons in and about the Cities of *London* and *Weſtminſter*, by reaſon whereof the Execution of the Sentence pronounced upon them is ſtill delayed, do deſire of your Lordſhips, that the ſaid Prieſts may be forthwith remanded to the ſeveral Countries where they were condemned, that ſo they may be Executed according to the Judgement paſſed upon them.

Ordered. That the conſideration of this part of the Meſſage ſhall be taken up to morrow Morning.

Ordered. That the Earl of *Piymouth* have hereby leave given him for one time to viſit the Earl of *Danby*, who is now a Priſoner in the *Tower*.

A Meſſage was brought from the Houſe of Commons by Sir *Thomas Clarges* and Others, who ſaid he was commanded to return a Bill ſent to the Commons from their Lordſhips, for clearing the City of *London* and parts adjacent and *Popiſh* Recuſants, to which the Commons have made Amendments, and deſire their Lordſhips Concurrence thereunto

2. To deſire a free Conference upon the Amendments in the

the Bill, for the more Effectual ſecuring the Liberty of the Subject.

The anſwer returned was, that the Lords do agree to give a free Conference as is deſired, and appoint the ſame to be preſently in the painted Chamber.

The Lords that managed this free Conference, gave the Houſe an account, that the Commons did declare they had agreed to all the Amendments to the Bill, for the more Effectual ſecuring the liberty of the ſubject, excepting to four, many reaſons were given on both ſides, but they came to no Reſolution.

Ordered, That the debate of this free Conference is put off to *Saturday* next.

The Lord Privy Seal reported, that the Committee for the journal Book, which was appointed to make an abſtract out of the Reports, concerning the Methods of proceedings to be Obſerved at the Trials of the Lords in the *Tower*, of what is fit to be communicated to the Houſe of Commons, and what is requiſite to be for the direction of the Lord Chancellors have met, and conſidered thereof as followeth, the Preface of the Report to ſtand, *viz*. The Lords Committees for Priviledges, to whom it is referred, to conſider of Preſidents and Ways of Proceedings in the Trials, and Judicature of the Peers, have peruſed the Journals of this Houſe, in which the proceedings in Order to the Trials of the Earl of *Strafford*, and the Earl of *Pembrocke* are entered, and upon conſideration had thereof, have Ordered to report, that the Methods of Proceedings agreed to by the Houſe of Peers, on the 21*th*. of *March* 1677. in Order to the Trial of the Earl of *Pembrooke* to be Obſerved, in Order to the Trials of the Earl of *Powis*, Viſcount *Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and the Lord *Pellaſis*, ſave only that the Attendance of the Clerk of the Crown in the *Kings-Bench*, is not to be required, nor any place to be prepared at the Bar for the Kings Councel, and that the additional Rule for going of the eldeſt Sons of the Peers, between the Houſe of Peers above Staires and *Weſtminſter-Hall* made the 9. inſtant be Obſerved alſo.

The Lord Chancellor is to Obſerve rules and directions, which are already upon the Journals of which he is to have an Inſtrument, and therefore not requiſite to be entered again here.

That which is proper to be communicated, is as followeth.

That the Earl of *Powis*, Viſcount *Stafford*, Lord *Petre*, Lord

Lord *Arundel* of *Warder*, and Lord *Bellaſis* and every of them, who are to be brought to their Tryals in *Weſtminſter-hall*, ſhall have Warrants for ſuch Witneſſes as will not come, without (Affidavit being firſt made thereof) excepting ſuch as are Members of the Houſe of Commons and ſuch Perſons as ſtand Charged with the ſame Treaſon, as the ſaid Lords are Charged with.

And that ſuch Witneſſes as any of the ſaid Lords ſhall produce at their reſpective Tryals, ſhall produce for their defence, ſhall be Examined upon Oath, if the Members of the Houſe of Commons do deſire it on their behalf, and if the ſaid Lords or any of them do re-examine the ſaid Witneſſes, it is to be upon the ſame Oath.

That the Lieutenant of the *Tower* is to return the Warrant of this Houſe, that the ſaid Lords being brought to the Bar by the Lieutenant of the *Tower*, are to kneel until the Lord High Steward command them to ariſe, and he is to let them know, that they are this day to anſwer to the Accuſation of High Treaſon, wherewith they ſtand Charged in the name of the Commons now Aſſembled in Parliament, and in the name of all the Commons of *England*, and that this day they are to receive their Tryals for their Lives

That the whole Impeachment againſt them is to be read, and then their Anſwers, which being done, the Lord High Steward is to tell the Commons, that now they may go on with their Evidence.

Then the Lord High Steward is to declare, that now the Court is proceeding to hear the Evidence, and deſire the Peers to give attention.

If the ſaid Lords ſhall demand Councel, the Lord High Steward is to let them know, that during the time that the Members of the Houſe of Commons do manage their Evidence in matter of Fact, they the ſaid Lords are to uſe no Councel.

If any of the Peers, the Members of the Houſe of Commons, or the Priſoners do deſire to have any Queſtion asked, they muſt deſire the Lord High Steward to ask the Queſtion.

If any doubt do ariſe at the Tryal, no debate to be in Court, but the Queſtion ſuſpended to be debated in this Houſe.

The Peers are to ſit upon their Tryals but once a day, and not to ſit paſt two of the Clock.

The Members of the Commons to be ſet firſt before the Peers come.

None to be covered at the Trial but the Peers.

That a private Place be made to put Offenders ſafely in.

That the Place between the Priſoners and the Woolſack be clear.

That ſuch Peers at the Tryal of the ſaid Lords, who at the Inſtance of the Commons ſhall be admitted Witneſſes, are to be ſworn at the Clerks Table, and the Lord High Steward to adminiſter the Oath, and to deliver their Evidence in their own places.

Thoſe Witneſſes that are Commoners to be ſworn at the Bar, by the Clerk, and are to deliver their Evidence there.

The Oath which is to be given to the Witneſſes is this.

The Evidence you ſhall give in the Tryal concerning the Five Lords Priſoners at the Bar, ſhall be the truth, the whole truth, and nothing but the truth, ſo help you God, and the Contents of this Book.

The ſaid Five Lords may croſs Examine Witneſſes, *viva voce* at the Bar.

That notice be given to the Lord Major, Aldermen, and Sheriffs of the City of *London*, and likewiſe to the Deputy Lieutenants, and Juſtices of *Middleſex*, and the Juſtices of the Peace for the City of *Weſtminſter*, to take care for the ſafe Guarding of the Gates and Places, thereby to prevent the concourſe of People, reſorting to *Weſtminſter*, during the time of the Tryal of the ſaid Lords.

This Report was read and agreed to, and it is Ordered, that it be Communicated to the Committee of the Houſe of Commons, by the Lords Committees at their next meeting.

A Meſſage was ſent to the Houſe of Commons by Sir *John Coel* and Sir *Timothy Baldwyn*, to Communicate to the Commons the Order of this Houſe, for appointing *Tueſday* next for the Tryals of the Five Lords in the *Tower*.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that the Conſtable of His Majeſties *Tower* in *London*, or in his abſence the Lieutenant thereof, be and is hereby required to bring *William* Earl of *Powis*, *William* Viſcount *Stafford*, *William* Lord *Petre*, *Henry* Lord *Arundel* of *Warder*, and *John* Lord *Bellaſis*, now Priſoners there to the Bar of this Houſe in *Weſtminſter hall*, on *Tueſday* the ſeaven and twentieth day of this Inſtant *May*, at Nine of the Clock in the Forenoon.

Ordered, that the amendments in the Bill concerning the freeing the City of *London* from Papiſts, ſhall be taken into Conſideration to Morrow Morning.

Ordered, by the Lords Spiritual and Temporal in Parliament Aſſembled, that *Edmond Warcup* Eſquire, one of the Deputy

Deputy Lieutenants and Juſtices of the Peace for the County of *Middleſex*, and City and Liberty of *Weſtminſter*, taking to his Aſſiſtance, Sir *William Waller* and Sir *Phillip Mathews*, or either of them, be and is hereby authorized, impowered, and required forthwith, further to ſearch the Houſe of the Lord Viſcount *Stafford*, called or known by the name of *Tart-hall*, and at ſuch times hereafter, as the ſaid *Edmond Warcup* ſhall receive Information upon Oath, that any Popiſh Prieſts or other dangerous Perſons, are or ſhall be harbored there, and to ſeize and ſecure all ſuch perſons, in Order to their being brought before the Lords Committees, for Examining matters relating to the Diſcovery of the late Horrid Conſpiracy, in the L. P. Seals Lodgings near the Houſe of Peers.

Ordered, that *John Briggs* be and is hereby authorized and required to apprehend and ſecure *Thomas Ireland*, ſo that the ſaid *Thomas Ireland* may be brought before the Lords Committees, for Examining matters relating to the Diſcovery of the late horrid Conſpiracy, and this ſhall be a ſufficient Warrant on that behalf.

Upon Report made from the Lords Committees, for Examining matters relating to the Diſcovery of the late Horrid Conſpiracy, concerning ſome *Iriſh* perſons, *viz.* *James Higgon*, *Langlein Keogg*, *Thomas Euſtace*, *John Dowdeſwel*, and *Thomas Conway*, driven into *Milford haven* by ſtreſs of weather, and now in Priſon in *Pembrook ſhire* Goal, upon ſuſpition of being Popiſh Prieſts, and for refuſing to take the Oathes of Allegiance and Supremacy, which Oathes they have ſince taken, but are not diſcharged out of the Priſon; it is Ordered, that the Caſe of the ſaid Five *Iriſh* perſons be wholly diſmiſſed this Houſe, and that the Juſtices of the Peace for the ſaid County of *Pembrook*, and Town and County of *Haverford* Weſt, be and are hereby directed to proceed, concerning the ſaid Five *Iriſh* perſons according to Law.

Die Veneris 23. *May.* 1679.

THe Lord Preſident Reported, that the Lords Committees have met this Morning with the Committee of the Houſe of Commons, and have delivered to them a Copy of the Methods of Proceedings, agreed on Yeſterday in Order to the Trial of the five Lords, and appointed to be communicated to them, their Lordſhips hoping that all things were therein adjuſted, which are neceſſary to the ſaid Trial, to which the Commons deſired to know, whether the paper now delivered as propoſitions to be debated, or as Rules not to be altered which if ſo ſeems, as if the Lords would paſs by all they have propoſed, and till they have an Anſwer to the more material Propoſitions they have made, they can ſay nothing to the minute Circumſtances in this paper, and that the Lords are pleaſed by this paper, to anſwer ſeveral things not asked, but not to anſwer what they do deſire; then their Lordſhips did let them know, that their Lordſhips are not inſtructed to debate, but ſhall acquaint the Houſe with what they inſiſt on, and that the Lords meet on great Diſadvantage, if they ſhould not have Liberty to propoſe as well as the Commons, and conceive that there is no impoſition put upon the Commons by this paper, but the Commons may make Objections, and the Lords may debate them; and that the Lords expect not any preſent Anſwer to the paper, but hope they will receive it as the Lords have received their propoſitions.

To this the Commons replying, that *Tueſday* next ſet for the ſaid Trial growing near, it will take up longer time to adjuſt theſe propoſitions, then till *Tueſday*, and ſome material Objections may be made againſt them, however, they ſhall receive this paper as propoſitions, to which they intend not to give any Anſwer, till they have an anſwer from the Lords to their former Propoſitions, concerning the Lords Spiritual, and that they think it not according to the good Correſpondence, that ought to be between the Committees of both Houſes, for the Lords to appoint a day of trial, without adjuſting the time with them, having formerly told them, that ſhould be the laſt thing to be agreed on; the Commons further added, that they do not quit their former Propoſition of the Earl of *Danbyes* being tryed, before the five Lords, and deſired to know, whether the Lords intend to proceed to the Trial of the five Lords on *Tueſday* next, though the Commons con-

conſent not, and deſired alſo, that the Lords would Report, that the Committees deſire to know, whether they may expect any anſwer to their former Propoſition concerning the Biſhops, without which, the Meetings of the Committees will be uſeleſs, and one Meeting more may put a Period to this Committee.

Upon conſideration had of this Report, the Houſe made theſe Reſolutions following.

The Queſtion was put, whether it ſhall be an Inſtruction to the Lords Committees, appointed to meet the Committee of the Houſe of Commons, to let them know, that their Lordſhips are not impowred to give any other anſwer, then what is already given concerning the Lords Spiritual, and it was reſolved in the Affirmative.

Diſſentientibus.

Buckingham	*Shaftesbury*	*Pr.*	*Derby.*
Huntindon	*Wincheſter*	*Bedford*	*Clare.*
Weſtmorland	*Stamford*	*Stafford*	*Herbert.*
F. Grey	*R. Eure*	*Rocheſter*	
Say. & Seale	*Rockingham*	*Paget*	*Delamar.*
Howard	*Mulgrave*	*Lovelace*	
Burlington	*North & Grey*	*P. Wharton.*	

Ordered, to let the Commons know, that the paper delivered this day, containes the Orders of the Houſe of Lords *De bene eſſe*, preparatory to the Trials, yet ſuch, that if the Commons have any thing to Object, or to Offer to be added to them, the Lords will conſider thereof, and do what ſhall be reaſonable.

The Queſtion being put, whether it ſhall be an Inſtruction to the Lords Committees, appointed to meet with the Committee of the Houſe of Commons, to let them know, that their Occur to the Lords difficulties, in the caſe of the Earl of *Danby*, which are not in the caſe of the other five Lords, and that therefore, the Lords have reſolved to proceed firſt to the Trial of the five Lords, and it was reſolved in the Affirmative.

Diſſentientibus.

Buckingham	*Wincheſter*	*Shaftesbury.*
Derby	*Huntinton*	*Arlington.*
Grey	*Stamford*	*Stafford.*

Herbert	*R. Eure*	*Rochester.*
Clare	*Rockingham*	*Howard,*
Mulgrave	*Bedford*	*Lovelace.*
Burlington	*P. Wharton*	*Faucenberg.*
Say & Seale	*Paget*	*Westmorland.*

Ordered, that the Lord *Mowbray* hath hereby leave given him, for one time to visit the Lord Viscount *Stafford*, who is now Prisoner in the *Tower*.

Ordered, by the Lords Spiritual and Temporal in Parliament Assembled, that Mr. *Titus Oats*, Mr. *William Bedloe*, and Mr. *Stephen Dugdale*, be and are hereby appointed to repair to the Prison of *Newgate* this Afternoon, there to see and speak with *David Lewis*, *Robert Hanslip*, *John Kemble*; and *Francis Johnson* alias *Webb*, condemned *Popish* Priests, now Prisoners there, and that the said *Titus Oats*, *William Bedloe*, and *Stephen Dugdale*, do attend the Lords Committees, for examining Matters relating to the discovery of the late horrid Conspiracy, to Morrow at Nine of the Clock in the Forenoon, to give the said Lords Committees an account, whether they know, that any of the said *Popish* Priests have been Engaged in the said horrid Conspiracy.

Ordered, that the Amendments in the Bill for freeing the City of *London* from *Papists*, be taken into consideration to morrow Morning.

Ordered, that the Lord *Mowbray*, and the Lord *Howard* of *Est*, have leave to visit the Lord Viscount *Stafford* in the *Tower* for one time.

Die Sabbati 24. *May* 1679.

Upon Report made from the Lords Committees, for Examining Matters relating to the late horrid Conspiracy, that *Henry Nevil* being a *Papist*, hath been found and seized on for being in Town, contrary to His Majesties late Proclamation, and pretending that his coming to Town, is in Order to his going beyond Sea, for which he hath His Majesties Licence; it appearing that his said Licence bears date in *January* last, and that he hath not made any other use thereof, then to shelter him in coming to Town; it is Ordered, that the said *Henry Nevil* shall be committed to the Prison of the *Gate-house*

Gate-house, there to remain a Priſoner till further Order; and this ſhall be a ſufficient Warrant on that behalf.

The Houſe took into conſideration the Amendments to the Bill, for clearing the City of *London* and the parts adjacent from *Popiſh* Recuſants, and the ſaid Amendments being many, theſe Lords following were appointed to conſider of the ſaid Amendments, and give this Houſe an account how they ſtand, and the coherence thereof on *Monday* Morning next.

Ordered, that the Lord *Stourton* hath hereby leave given him, for one time to viſit the Lord *Petre*, which is now a Priſoner in the *Tower*.

Ordered, that the Lord Viſcount *Faucenburg* hath hereby leave given him, for one time to viſit the Lord *Bellaſis* in the *Tower*.

Next the Houſe took into conſideration the Amendments of the Bill, for the better ſecuring the Liberty of the Subject, and for preventing of Impriſonment beyond the Seas, to which the Commons have not agreed, and the Lords made theſe Amendments following.

4. *Sk.* 3 *l.* *The Lords agree to wave this Amendment, ſo as the Proviſo following may be added to the Bill*, (viz.) *provided always, that nothing in this Act contained, ſhall extend or be conſtrued to extend to increaſe the Juriſdiction of the Court of* Kings-Bench, *or to diminiſh the lawful Juriſdiction of any other Court, but that all and every the Juriſdictions of the ſaid Courts, ſhall continue and remain the ſame, as formerly any thing in this Act to the contrary notwithſtanding.*

11 *l.* *The Lords agree, that after proceſs the words to* (*for ſuch Matters*) *remain in the Bill, ſo as after the ſaid Word* (*proceſs*) *the Word* (*Order or Warrant*) *be added in the ſaid* 11. *Line.*

5. *Sk.* 33 *l.* *The Lords agree to wave the Amendments on the ſame Condition, as they wave that of the* 4. *Sk.* 3 *l.*

9. *Sk*, 24 *line*, *the Lords agree to wave this Amendment, ſo as the proviſo marked P. may be added to the Bill*, (viz.) *provided always, and be it Enacted, that no Peer of this Realm ſhall be tryed for any Offence, againſt this Act but by his Peers.*

Ordered, that theſe Reſolutions ſhall be communicated to the Houſe of Commons on *Monday* next at the free Conference.

Die Lunæ 26. May. 1679.

THis day, theſe Lords following took the Oathes of Allegiance and Supremacy, and made and ſubſcribed the Declaration againſt Tranſubſtantiation, in purſuance of the Act of the 25*th.* year of his now Majeſties Reign, for preventing the dangers which may happen from Popiſh Recuſants, the Witneſſes which were firſt ſworn at the Bar, were Examined by the Lord Chancellor, to prove the truth of the particulars, concerning their Lordſhips receiving the Sacrament of the Lords Supper.

Chriſtopher Duke of *Albemarle.*
Henry Marqueſs of *Worceſter.*
Henry Lord *Arlington* Lord Chamberlain of His Majeſties Houſhold.
James Earl of *Sarum.*
Arthur Earl of *Eſſex.*
Richard Earl of *Burlington.*

A Meſſage was ſent to the Houſe of Commons by Sir *Timothy Baldwyn* and Sir *Miles Cook*, to deſire a free Conference preſently in the Painted Chamber, concerning the Matter of the laſt free Conference, touching the amendments in the Bill, for the better ſecuring the liberty of the Subject.

The Lord Preſident, that on *Saturday* the Lords delivered to the Commons, what was Reſolved and Ordered the day before, touching the Biſhops being at the Tryal of the Five Lords, as alſo concerning the Earl of *Danbys* Tryal, and likewiſe touching the Paper containing the Rules *de bene eſſe*, to be obſerved by the Lords at the Tryals, and told the Commons, that that was all they had in Command to ſay.

To which the Commons anſwered, that ſince the Lords have not thought fit to give ſuch ſatisfactory Anſwers to the propoſitions, formerly made by them as they required, they have received Inſtructions from the Houſe, to give no Anſwer to the Propoſitions made by the Lords, till the Commons former Propoſitions be Anſwered.

That the Lords Committees met the Committee of the Houſe of Commons again this Morning, where the Commons ſaid, that they had received Inſtructions this Morning from their Houſe, to propoſe to the Lords, whether they be yet impowered to give any Anſwer to the propoſitions made by the Commons,

Commons, touching the Lords Spiritual, and the Tryal of the Pardon of the Earl of *Danby*, and to acquaint the Lords that they cannot give any Anſwer to the Propoſitions, made by their Lordſhips preparatorily to the Tryal, until thoſe matters be adjuſted.

To which the Lords Anſwered, that they are not yet Impowered.

The Meſſengers return with this Anſwer, that the Houſe of Commons will give a free Conference as is deſired.

The ſame Lords, who managed the laſt free Conference, are to manage this.

A Meſſage was brought from the Houſe of Commons by Sir *Thomas Meres*, *&c.* to deſire their Lordſhips would pleaſe to Sit a convenient time.

The Anſwer returned was, the Lords have conſidered their Meſſage, and will ſit a convenient time.

The Houſe was Adjourned during pleaſure, and the Lords went to the Conference, which being ended, the Houſe was Reſumed

The Lord Preſident Reported, that the Lords have delivered their Lordſhips Reſolutions to the amendments in the Bill, concerning the liberty of the Subject to the Houſe of Commons, who after ſome diſcourſe ſaid, they would acquaint the Houſe of Commons therewith, and receive their directions therein.

A Meſſage was brought from the Houſe of Commons by Sir *John Trever*, *&c.* to deſire a Conference upon Matters of great Importance to the Kingdome, and for preſerving a good Correſpondence between the two Houſes.

The Anſwer returned was, that the Lords agree to a Conference as is deſired, and appoint the ſame to be preſently in the Painted Chamber.

The Houſe was Adjourned, and the Lords went to the Conference, which being ended, the Houſe was Reſumed.

The Lord Preſident Reported, the effect of the Conference with the Houſe of Commons (*viz*)

The Commons have always deſired, that a good correſpondence may be preſerved between the two Houſes.

There is now depending between your Lordſhips and the Commons, a Matter of the greateſt weight, in the Tranſaction of which, your Lordſhips ſeem to apprehend ſome difficulty in the matters propoſed by the Commons.

To clear this, the Commons have deſired this Conference, and by it they hope, to manage to your Lordſhips, that the propoſitions of the Houſe of Commons made by their Committee,

mittee, in relation to the Tryal of the Lords in the *Tower*, have been only such as are well Warranted by the Laws of Parliament, and constitution of the Government, and in no sort entreth upon the Judicature of the Peers, but are most necessary to be insisted upon, that the Antient Rights of Parliament may be maintained.

The Commons readily acknowledge, that the Crimes Charged upon the Earl of *Powis*, Viscount *Stafford*, Lord *Petre*, Lord *Arundel* of *Warder*, and Lord *Bellasis*, are of deep Guilt, and call for speedy Justice, but withal, they hold any Change in Judicature in Parliament, made without consent in full Parliament to be of pernicious consequence, both to His Majesty and His Subjects, and conceive themselves obliged, to transmit to their Posterity, all the Rights, which of this kind they have received from their Ancestors, and by putting your Lordships in mind of the progress, that has already been between the two Houses, in relation to the propositions made by the Commons, and the reasonableness of the propositions themselves; they doubt not but to make it appear, their aime has been no other than to avoid such Consequence, and to preserve that right, and that there is no delay of Justice on their parts, and to that end, do offer to your Lordships, the ensuing Reasons and Narrative.

That the Commons (in bringing the Earl of *Danby* to Justice, and in discovery of that Execrable and Traiterous Conspiracy, (of which the Five Lords now stand Impeached, and for which some of their wicked accomplices; have already undergone the Sentence of the Law, as Traitors and Murderers,) have labored under many great difficulties, as is not unknown to your Lordships.

Nor is it less known to your Lordships, that upon the Impeachment of the House of Commons, against the Earl of *Danby* for High Treason, and other high Crimes and Misdemeanors and Offences, even the Common Justice of sequestring him from Parliament, and forthwith committing him to safe Custody, was then required by the Commons, and denyed by the House of Peers, though he then sat in your House, of which your Lordships have been so sensible, that at a free Conference the tenth of *April* last, your Lordships declared, that it was the right of the Commons, and well Warranted by Presidents of former Ages, that upon an Impeachment of the Commons, a Peer so Impeached ought of right to be Ordered to withdraw, and then to be committed; and had not that Justice been denyed to the Commons, a great part of this Session of Parliament, which hath been spent

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in framing and adjuſting a Bill, for cauſing the Earl of *Danby* to appear and anſwer that Juſtice, from which he was fled, had been ſaved, and had been imployed for the preſervation of His Majeſties Perſon, and the ſecurity of the Nation, and in Proſecution of the other Five Lords, neither had he had the opportunity of procuring of himſelf, that Illegal Pardon, which bears date the firſt of *March* laſt paſt, and which he hath now Pleaded in Bar of his Impeachment, nor of waſting ſo great a proportion of the treaſure of the Kingdom, as he hath done, ſince the Commons exhibited their Articles of Impeachment againſt him.

After which time thus loſt, by reaſon of the denyal of that Juſtice, which of right belonged to the Commons upon the Impeachment, the ſaid Bill being ready for their Royal Aſſent, the ſaid Earl then rendered himſelf, and by your Lordſhips Order of the Sixteenth of *April* laſt, was committed to the *Tower*, after which he pleaded the ſaid Pardon, and being preſt, did at length declare he would rely upon and abide by that Plea; which Pardon Pleaded, being Illegal and void, and ſo ought not to barr, or prelude the Commons from having Juſtice upon their Impeachment, they did thereupon, with their Speaker on the Fifth of *May* Inſtant, in the name of themſelves and all the Commons of *England*, demand Judgment againſt the ſaid Earl upon their Impeachment, not doubting, but that your Lordſhips did intend all your proceedings upon the Impeachment, to follow the uſual courſe and Proceedings of Parliament.

But the Commons were not a little ſurprized, by the Meſſage from your Lordſhips, delivered on the 7*th*. of *May*, thereby acquainting them, that as well the Lords Spiritual as Temporal, has Ordered, that the tenth of *May* inſtant ſhould be the day for hearing the Earl of *Danby*, to make good his Plea of Pardon, and that on the thirteenth of *May*, the other Five Lords Impeached ſhould be brought to their Tryal, and that your Lordſhips had Addreſſed to His Majeſty, for naming of a Lord High Steward, as well in the caſe of the Earl of *Danby*, as the other Five Lords.

Upon Conſideration of this Meſſage, the Houſe of Commons found, that the admitting the Lords Spiritual to exerciſe Juriſdiction in theſe Caſes, was an Alteration in the Judicature in Parliament, and which extended as well to the proceedings againſt the Five Lords, as the Earl of *Danby*; and if a Lord High Steward ſhould be neceſſary on Impeachments of the Commons, the Power of Judicature in Parliaments upon Impeachments might be defeated, by Suſpending

or

or denying a Commiſſion to conſtitute a Lord High Steward.

And that the ſaid days of Tryal, appointed by your Lordſhips were ſo near to the time of the ſaid Meſſage, that theſe matters, and the Methods of proceedings upon the Tryals, could not be adjuſted by conference, between the two Houſes before the days ſo nominated, and conſequently the Commons could not then proceed to Tryal, unleſs the zeal they had for ſpeedy Judgment againſt the Earl of *Danby*, that ſo they might proceed to the Tryal of the other Five Lords, ſhould induce them at this Juncture, both to admit the enlargement of your Lordſhips Juriſdiction, and to ſit down under theſe or any hardſhips, (though with the hazard of all the Commons Power of Impeaching for time to come rather than the Tryal of the Five Lords ſhould be deferred for ſome ſhort time, whilſt theſe matters might be agreed on and ſetled.

For reconciling differences in theſe great and Weighty Matters, and for ſaving that time, which would neceſſarily have been ſpent in debates, at Conferences betwixt the two Houſes, and for expediting the Tryals, without giving up the Power of Impeachments, or rendring them ineffectual, the Commons thought fit to propoſe to your Lordſhips, that a Committee of both Houſes might be appointed for this purpoſe, at which Commitee when agreed to by your Lordſhips; it was Firſt propoſed, that the time of Trial of the Lords in the *Tower* might be put off, till other matters were Adjuſted; and it was then agreed, that the propoſition as to time of Trial, ſhould be the laſt thing conſidered, and the Effect of this Agreement ſtands Reported, upon your Lordſhips Books.

After which, the Commons communicated to your Lordſhips by your Committee a Vote of theirs (*viz.*) that the Committee of the Commons ſhould inſiſt upon the former Vote of their Houſe, that the Lords Spiritual ought not to have any Vote in the proceedings againſt the Lords in the *Tower*, and that when that matter ſhould be ſetled, and the Methods of proceedings adjuſted, the Commons would then be ready to proceed upon the Tryal of the Pardon of the Earl of *Danby*, againſt whom before, they had demanded Judgment, and afterwards to the Tryal of the other Five Lords in the *Tower*, which Vote extended, as well to the Earl of *Danby*, as the other Five Lords, but the Commons have as yet received nothing from your Lordſhips, towards an Anſwer of that Vote, ſave that, your Lordſhips have acquainted them, that the Biſhops have aſked leave of the Houſe of Peers, that

they

they might withdraw themſelves, from the Tryal of the ſaid Five Lords, with the liberty of entring their uſual Proteſtation.

And though the Commons Committee, have almoſt dayly declared to your Lordſhips Committee, that that was a neceſſary point of Right to be ſetled, before the Trials, and Offered to debate the ſame; your Committee always anſwered, that they had not any power from your Lordſhips, either to conſer upon, or to give any anſwer concerning that Matter.

And yet your Lordſhips, without having given the Commons any ſatisfactory anſwer to the ſaid Vote, or permitting any conference or debate thereupon, and contrary to the ſaid agreement, did on *Thurſday* the *22th.* of *May*, ſend a Meſſage to the Commons, declaring the Lords Spiritual as well as Temporal, had Ordered, that the 27 of this inſtant *May* be appointed for the Trials of the five Lords.

So that, the Commons cannot but apprehend, that your Lordſhips have not only departed, from what was agreed on, and in effect, laid aſide that Committee, which was conſtituted for preſerving a good underſtanding betwixt the two Houſes, and better diſpatch of the weighty Affairs now depending in Parliament, but muſt alſo needs conclude from the ſaid Meſſage, and the Vote of your Lordſhips on the *14th.* of *May*, that the Lords Spiritual have a Right to ſit in Court, till the Court proceeds to the Vote of Guilty or not Guilty, and from the Biſhops asking leave (as appears by your Lordſhips Books two dayes after your ſaid Vote,) that they might withdraw themſelves, from the Trial of the ſaid five Lords, with liberty of entering their uſual proteſtation, and by their perſiſting ſtill to go on, and give their Votes in proceedings, upon the Impeachments; that their deſire of leave to withdraw at the ſaid Trial, is only an evaſive anſwer to the before mentioned Vote of the Commons, and chiefly intended as an Argument, for a Right of Judicature in proceedings upon Impeachments, and as a reſerve to judge upon the Earl of *Danbyes* plea of Pardon, and upon theſe, and other like Impeachments, although no ſuch Power was ever claimed by their predeceſſors, but it is utterly denied by the Commons.

And the Commons are the rather induced to believe it ſo intended, becauſe the very asking leave to withdraw, ſeems to imploy a Right to be there, and that they cannot be abſent without it, and becauſe by this way they would have it in their Power, whether or no for the future, either in the Earl of *Danbyes* caſe, or any other, they will ever ask leave to be abſent

ſent, and the Temporal Lords a like power of denying leave, if that ſhould once be admitted neceſſary, the Commons are therefore Obliged, not to proceed to the Trial of any of the Lords the 27*th.* of this inſtant *May*, but to adhere to their aforeſaid Vote, & for their ſo doing, beſides what hath been now, and formerly by them ſaid to your Lordſhips, do Offer theſe reaſons following.

1. Becauſe, your Lordſhips have received the Earl of *Danbys* Plea of Pardon, with a very long and uſual proteſtation, wherein he hath aſperſed His Majeſty with falſe ſuggeſtions, as if His Majeſty had commanded or countenanced the Crimes he ſtands charged with, and particularly ſuppreſſing and diſcouraging the diſcovery of the plot, and indeavoring to introduce an arbitrary and tyrannical Way of Government, which remains as a ſcandal upon record againſt His Majeſty, tending to render his Perſon and Government odious to his People, againſt which it ought to be the firſt and principal Care of both Houſes to vindicate His Majeſty, by doing Juſtice upon the ſaid Earl.

2. The ſetting up a Pardon, to be a Bar of an Impeachment, defeats the whole uſe and effect of Impeachments, and ſhould this point be admitted, or ſtand doubted, it would totally diſcourage the exhibiting any for the future, whereby the chief Inſtitution for the preſervation of the Government, (and conſequently the Government it ſelf, would be deſtroyed) and therefore the caſe of the ſaid Earl, (which in conſequence concerns all Impeachments whatſoever,) ought to be determined, before that of the ſaid five Lords, which is but their particular caſe.

And without reſorting to any Authorities of greater Antiquity, the Commons deſire your Lordſhips to take notice, (with the ſame regard they do) of the declaration, which that excellent Prince *Charles* the firſt of bleſſed Memory made in this behalf, in his anſwer to the 19. Propoſitions of both Houſes of Parliament, wherein ſtating the ſeveral parts of this regulated Monarchy; he ſaies the King, the Houſe of Lords, and the Houſe of Commons have each particular Priviledges, and amongſt thoſe which belong to the King, he reckons power of pardoning, after the enumerating of which, and others his Perogatives, His Majeſty adds thus again, that the Prince may not make uſe of the high and perpetual Power, to the hurt of thoſe, for whoſe good he hath it, and make uſe of the name of publick Neceſſity, for the gain his private Favorits, and Followers, to the detriment of his people; the Houſe of Commons (an excellent Conſerver of liberty

Liberty &c.) is ſolely intruſted with the firſt Propoſitions, concerning the levying of moneys, and for the impeaching of thoſe, who for their own ends (though countenanced by any ſurreptitiouſly gotten Command of the King, have violated that Law) which is bound, when he knows it to protect, and to the Protection of which they were bound, to adviſe him at leaſt not to ſerve him in the contrary, and the Lords being truſted with a judicatory Power, are an excellent Skreen and Back, between the Prince and the People, to aſſiſt each againſt any Incroachments of the others, and by ſuch Judgements to preſerve that Law, which ought to be the Rule of every one of the three &c. ; therefore the power legally placed in both Houſes, is more than ſufficient to prevent and reſtrain the Power of Tyranny &c.

3 ly. Until the Commons of *England* have right done them againſt this Plea of Pardon, they may juſtly apprehend, that the whole Juſtice of the Kingdom in the caſe of the five Lords may be Obſtructed, and Defeated by pardons of like nature.

4. An Impeachment is vertually the Voice of every particular Subject of this Kingdom, crying out againſt an Oppreſſion, by which every member of that body is equally wounded, and it will prove a matter of ill Conſequence that the univerſality of the People, ſhould have Occaſion miniſtered and continued to them, to be apprehenſive of utmoſt Danger from the Crown, from whence they of right expect Protection.

5. The Commons exhibited Articles of Impeachment, againſt the ſaid Earl before any againſt the other five Lords, and demanded Judgement upon thoſe Articles, whereupon your Lordſhips having appointed the Trial of the ſaid Earl, to be before that of the other five Lords ; knew your Lordſhips have ſince inverted this Order, gives a great cauſe of doubt to the Houſe of Commons, and raiſes a jealouſie in the hearts of all the Commons of *England*, that if they ſhould proceed to the Trial of the ſaid five Lords, in the firſt place, not only Juſtice will be Obſtructed in the caſe of thoſe Lords, but that they ſhall never have right done them in the Matter of this Plea of Pardon, which is of ſo fatal conſequence to the whole Kingdom, and a new device to fruſtrate publick Juſtice in Parliament.

Which reaſons and matters being duly weighed by your Lordſhips, the Commons doubt not, but your Lordſhips will receive ſatisfaction concerning their Propoſitions, and Proceeedings, and will agree, that the Commons ought not, nor can without deſerting their truſt, depart from their former Vote communicated to your Lordſhips.

That

That the Lords Spiritual, ought not to have any Vote in any Proceedings againſt the Lords in the *Tower*, and when that Matter ſhall be ſetled, and the Methods of Proceedings adjuſted, the Commons ſhall then be ready to proceed upon the Trial of the Pardon of the Earl of *Danby*, (againſt whom they have already demanded Juſtice) and afterwards to the Trial of the other five Lords in the *Tower*.

De Martis 27. *May* 1679.

THE Narrative and Reaſons delivered at the Conference Yeſterday, with the Houſe of Commons were again read, and after a long Debate, the Vote of this Houſe dated the 13*th*. of *May* inſtant, and the Explanation thereupon dated 14. inſtant were read, and the Queſtion was put, whether to inſiſt upon the Vote concerning the Lords Spiritual, and it was reſolved in the Affirmative.

Diſſentientibus

Buckingham	*Huntingdon*	*Kent* *Shaftesbury*
Bedford	*Winchester*	*Rochester North & Grey.*
Suffolke	*F. Lovelace*	*Townſend Herbert*
Grey	*Stamford*	*Newport Say & Seale.*
Leiceſter	*Scarſdale*	*P. Wharton Strafford.*
Derby	*Delamar*	*Howard* *Paget*
Clare	*Salisbury*	*Faulconberg Windſor.*

A Meſſage was brought from the Houſe of Commons, by Sir *Thomas Clarges* and others, to deſire a free Conference concerning the Matter of the laſt free Conference, touching the Bill for the better ſecuring the liberty of the ſubject.

The Lord Preſident of the Councel Reported, the effect of the free Conference had this day, upon the Amendments made by the Lords, to the Bill for the better ſecuring the liberty of the ſubject, and for preventing of impriſonments beyond the ſeas, to which the Commons did not formerly agree, and on which the Lords formerly inſiſted, but at the free Conference had Yeſterday, at the deſire of this Houſe, the ſaid Amendments were ſo waved by the Lords, with the condition of adding other clauſes to the Bill, as that the Commons

Commons had the liberty of their choice, whether to admit the ſaid Conditions, or to agree to the Amendments formerly inſiſted on, upon theſe alternative Propoſitions, the Commons have (upon conſideration) thought fit rather to admit of the Amendments, made formerly by the Lords to the Bill (*viz*.) in the 4th. Sk. 31 and 32 l. and 5th. Sk. 35 l. and 9th. Sk. 24 l. Then of the condri nal clauſes, and alterations propoſed by the Lords at the free Conference had Yeſterday, and to have delivered at this free Conference, to your Lordſhips the Bill cloſed up and perfected, to which the Houſe agreed.

The Lord great Chamberlaine acquainted this Houſe, that His Majeſty did intend preſently to come to this Houſe in His Robes.

A Meſſage was ſent to the Houſe of Commons by Sir *John Franckling* and Sir *John Hoskins*, to give them notice, that His Majeſty will come to the Houſe in His Robes, therefore deſi e they will ſit a while.

The Houſe was adjourned during Pleaſure, and the Lords went to put on their Robes, which being done, the Houſe was reſ med.

His Majeſty Sitting on His Royal Throne, Adorned with His Crown and other Regal Ornaments, commanded the Gentleman Uſher of the Bla k Rod, to Signify to the Houſe Commons His Majeſties Pleaſure, that they ſhould attend him preſently; who being come with their Speaker, His Majeſty gave His Royal Aſſent to theſe Bills following.

An Act for Reingr ſſing the Records of Fines, burnt or loſt in the late Fire in the *Temple*.

An Act for the better ſecuring of the liberty of the ſubject, & for preventi g of impriſonment beyond the Seas.

To which ublick Bills, the Royal Aſſent was pronounced by the Clerk of the Parliaments in theſe Words.

Le Roy Le Veult

Then His made a ſhort Speech to this Effect.

My Lords and Gentlemen,

I was in good h pes, that this Seſſion would have produced great good to the Kingdom, and that you would have gone on unanimouſly, for the good thereof, but to my great Grief, I ſee that there are ſuch Differences between the two Houſes, that I am afraid very ill Effects will come of them; I know

but one way, of remedy for the present, Assuring you, that in the mean time, I shall shew my sincerity with the same Zeal I met you here, therefore, my Lord Chancellor, I command you to do, as I Ordered you.

Then the Lord Chancellor said

My Lords, and you the Knights, Citizens and Burgesses of the House of Commons.

His Majesties Royal Will and Pleasure is, that this Parliament be Prorogued to the 12th. Day of *August* next, and this Parliament is Prorogued to the fourteenth Day of *August* next.

The Printer to the reader,

I desire you to excuse the Errors of the Press, which is possible have happened in mispelling of Names &c. Which are not wilful, but occasioned by the badness of the hand I had to print by.

MVSEVM BRITANNICVM